



**SUSTAINING THE PEACE IN NORTHERN UGANDA:  
EXPLORING THE POTENTIAL FOR COMMUNITY  
PARTICIPATION IN CONFLICT RESOLUTION PROCESSES**

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## **ABSTRACT**

The study examines the potential for community participation in peacemaking and conflict resolution processes, with particular emphasis on the nature and level of that participation. The researcher adopted an exploratory, qualitative research design. The Acholi region of Northern Uganda was targeted for this case study because of its history as a conflict affected region. The study involved twenty-six (26) key informants and one hundred and sixty-nine (169) participants who were involved in thirteen (13) focus groups. The key informants were selected using the purposive sampling method, while the focus group participants were selected using a mixture of snowball and purposive sampling methods.

### **The most significant findings of this study were that:**

- Key participants included the government of Uganda (GoU) peace team; the Lord's Resistance Army (LRA) peace team; appointed and elected political leaders; civil society representatives; the Acholi cultural institutions, and religious leaders.
- The community was represented at the peace talks by religious and cultural leaders. However, there is some ambiguity as to whether or not these leaders truly represented the local communities.
- Unclear selection criteria and ambiguous mandates of representatives caused problems of legitimacy.
- Women representatives/participants in the peace process were only given 'observer status'.
- Religious and cultural leaders initiated the peace process and acted as informal mediators.
- There was a lack of communication, and community members were not fully informed of the developments taking place during the Juba peace talks.
- The Acholi traditional conflict resolution practices were not optimally utilized since the elite negotiators adopted the western model of peacemaking processes..
- Mato-oput (an indigenous conflict resolution practice) which emphasises truth telling is effective only in specific cultural settings and may not be suitable for addressing more serious conflicts such as war crimes.

### **The following recommendations emanate from this study:**

- Structures to ensure legitimate representation of community members should be set up.
- Various levels of community participation should be a feature throughout the conflict resolution process.
- Middle range leaders and intermediaries should be given much more leverage during the peace process.
- Women should be especially included in the peace process since they have strategic contributions to make from their perspective.
- Legitimate community representatives should inform their constituencies of the developments taking place at the peace talks through various communication channels..
- Strategies should be adopted to address those specific impediments to community participation such as socio-economic and/or political factors..
- Training, financial support and other costs of participation should be factored into the peace process as necessary for the overall peace dividend.
- Formal and traditional justice systems should be synchronized to ensure that they mutually reinforce peace in culturally appropriate and relevant ways.

## DECLARATION

I, **Samson Barrigye**, hereby declare that this thesis is my own, unaided work. The assistance obtained has been only in the form of professional guidance and supervision. Any other form of assistance has been duly acknowledged.

No part of this thesis has been submitted in the past for a degree at any university. The information used in this thesis has been obtained by myself while registered as a candidate for the degree of Doctor of Philosophy in Social Development at the University of Cape Town.

Signature

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## LIST OF ACRONYMS

ACRONYM	IN FULL
AIDs	Acquired Immune Deficiency Syndrome
ARLPI	Acholi Religious Leaders' Peace Initiative
AU	African Union
BBC	British Broadcasting Corporation
CAR	Central African Republic
CHS	Commission on Human Security
CSO	Civil Society Organisation
CSOPNU	Civil Society Organisation for Peace in Northern Uganda
DDR	Disarmament, Demobilization and Reintegration
DRC	Democratic Republic of Congo
FGD	Focus Group Discussion
FPA	Final Peace Agreement
GoSS	Government of South Sudan
GoU	Government of Uganda
HIV	Human Immune Deficiency Virus
HSM	Holy Spirit Movement
ICC	International Criminal Court
ICG	International Crisis Group
ICGLR	International Conference for the Great Lakes Region
ICISS	International Commission on Intervention and State Sovereignty
IDMC	Internal Displacement Monitoring Centre
IDPs	Internally Displaced Persons
IIS	Institute for Inclusive Security
INGOs	International Non-Governmental Organisations
IRIN	Integrated Regional Information Networks
ISS	Institute for Security Studies
KI	Key Informant(s)
KKA	Ker Kwaro Acholi
LC5	Local Council Five
LEMU	Land and Equity Movement – Uganda

<b>ACRONYM</b>	<b>IN FULL</b>
LRA	Lord's Resistance Army
MDGs	Millennium Development Goals
NGOs	Non-Governmental Organizations
NRC	Norwegian Refugee Council
NRM	National Resistance Movement
OAU	Organisation for African Unity
PhD	Doctor of Philosophy
PRDP	Peace, Recovery and Development Plan for Northern Uganda
PTSD	Post-Traumatic Stress Disorders
RDC	Resident District Commissioner
RLP	Refugee Law Project – Makerere University
SPLA	Sudanese People's Liberation Army
UBOS	Uganda Bureau of Statistics
UCT	University of Cape Town
UK	United Kingdom
UN	United Nations
UNAIDS	The Joint UN HIV/AIDS Programme
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Fund for Women
UNRF	Uganda National Rescue Front
UNSC	United Nations Security Council
UPA	Uganda People's Army
UPDA	Uganda People's Democratic Army
UPDF	Uganda People's Defence Forces
US	United States
US\$	United States Dollars
USA	United States of America
WHO	World Health Organisation
WNBF	West Nile Bank Front

# CHAPTER ONE: INTRODUCTION TO THE UGANDAN CONTEXT AND THE RESEARCH PROBLEM

## 1 Introduction

This chapter introduces the reader firstly to the Ugandan context and highlights the geographical location. Also, the following contextual information is provided: Uganda's political and conflict profile with special reference to Northern Uganda; a brief about the Acholi people; a brief on Internally Displaced Persons (IDPs), and the Juba Peace Process. The researcher deliberately set out aspects of the complexity of the ethnic-political conflict at the very beginning (rather than shift this analysis to the second chapter) to contextualize this study for anyone unfamiliar with Uganda's contested political background. The focus of this study (research problem) follows after this analysis.

### 1.1 The Ugandan Context

Uganda's context should be seen from a regional perspective, considering that all but one of Uganda's neighbours have experienced violent conflict. The accompanying conflict mapping of Uganda, especially Northern Uganda helps to focus this study more specifically. Uganda is located in the Great Lakes region of East Africa. It is neighboured by the DRC in the West, Rwanda in the South West, Tanzania in the South, Kenya in the East and Sudan in the North. Uganda is a landlocked country (i.e. it is entirely enclosed by land), and has limited access to the sea through its neighbours, Tanzania and Kenya. The country covers an area of 241,551 sq. km. Uganda attained independence on 9 October 1962. By June 2009, the country had a population of 30.7 million people, of which 51% were females, while 49% were males, with a literacy rate of 69% and life expectancy of 49 years for males and 51 years for females (UBOS, 2009:7). The country is ranked 143<sup>rd</sup> on the Human Development Index (HDI) (2012)<sup>1</sup>, 20<sup>th</sup> on the Failed States Index (FSI) (2012)<sup>2</sup> and the 98<sup>th</sup> on the Global Peace Index (GPI) (2012).<sup>3</sup> **Figure 1:2** shows the geographical location and administrative units of Uganda.

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<sup>1</sup>The Human Development Index can be found at [www.hdr.undp.org/en](http://www.hdr.undp.org/en).

<sup>2</sup> The Failed States Index can be found at [www.foreignpolicy.com/failedstates](http://www.foreignpolicy.com/failedstates).

<sup>3</sup> The Global Peace Index can be found at:  
<http://www.visionofhumanity.org/#/page/indexes/global-peace-index>

[illegible]

<http://www.un.org/Depts/Cartographic/map/profile/uganda.pdf>(Accessed on 4 September 2009)

When Uganda attained independence in 1962, it was one of the most promising countries in Africa, in terms of its political and economic development. The first few years after



independence gave hope and optimism to the country's citizens, but this hope started to wane following successive episodes of conflict and economic difficulties. These challenges were complicated by the HIV/AIDs epidemic that greatly affected the country, political turmoil, involvement in conflicts within the Great Lakes region, and unprecedented levels of corruption (Shaw & Mbabazi, 2007). Further, more than twenty years of political strife, economic mismanagement and armed conflict have left it devastated, with most of its social and physical infrastructure destroyed. During the five decades of the post-independence period, the country has already been ruled by ten leaders<sup>4</sup> (Shaw & Mbabazi, cited in Nhema & Zeleza, 2008a:214).

Uganda had periods of turbulence and insecurity right from the pre-colonial days. Kingdoms rose and fell through violent struggles. There were wars between the various dominant ethnic communities, such as between Buganda and Bunyoro, Bunyoro and Tooro, Bunyoro and Nkore, Buganda and Busoga. Violence and unrest have been an integral part of the pre-colonial social and state formation period (Mushemeza, 2001). However, these conflicts and wars were not as devastating as the ones that Uganda experienced after independence. Uganda's political journey is synonymous with political violence and civil conflict. Constitutional rule has not been observed. In attempting to explain the numerous wars, rebellions and military coups that have characterised Uganda, Epelu-Opio (2009:1) argues that Uganda's political problems can be mainly attributed to the fact that its constitution was not upheld. This author asserts that a country that upholds its constitution will have relatively good and democratic governance<sup>5</sup>, coupled with regular, free and fair elections of leaders, and civil wars, rebellions or military coup d'états would be contained. This has clearly not been the case in Uganda.

In the past two decades, violent conflicts have taken a toll on Africa's development. Almost half of all African countries, and over one in three African people, are affected directly or

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<sup>4</sup> The current President, Yoweri Museveni, has been president for 25 years uninterrupted, having come to power in 1986. President Amin ruled for 9 years while President Obote ruled for 2 five-year terms; he was overthrown twice.

<sup>5</sup> Governance consists of the traditions and institutions by which authority is exercised in a country. This includes the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them. Source: World Bank: available at: <http://info.worldbank.org/governance/wgi/index.asp>.

indirectly by conflicts (World Bank, 2002:1). These conflicts are attributed to both long-term and short-term factors. The World Bank (2002:2-4) identifies long-term factors as exclusionary policies and discrimination, mismanagement of economic rents, erosion of the state, sub-regional instability and easy access to small arms. Some of the short-term factors identified are linked to historical issues, illiteracy and unemployment, amongst others. Further, although the overall number of conflicts in Africa has decreased (Human Security Centre, [HSC], 2006), most contemporary wars are of protracted duration, occurring intrastate, fought by irregular armed groups, and fuelled by economic opportunities and ethnic rivalry (Spiegel *et al*, 2010:341).

Identifying the root causes of conflict in Uganda, therefore, is an essential element in understanding and addressing the current conflicts that exist throughout the country (Coughlin, 2010:9). Uganda has experienced a series of violent conflicts since independence in 1962, with each successive regime facing a wide range of dissident groups. The first such event was the overthrow of the first President, Sir Edward Mutesa, by Apollo Milton Obote in 1966. Thereafter, Obote was deposed by Idi Amin in 1971. He was in turn removed from power by a pro-Obote rebel group supported by the Tanzanian Army. The Obote regime was toppled for the second time in 1985 by Tito Okello Lutwa. Those turbulent years were characterised by turmoil, bloodshed, widespread human rights violations, economic destruction and political instability (Mushemeza, 2001). Since independence, there has been a change in government nine times, four of which were military regimes (Government of Uganda [GoU], 2007:7). Further, Coughlin (2010:9) suggests that the high level of ethnic based violence is indicative of a lack of national identity. What appear to be ethnic, religious or resource based conflicts may in fact be unresolved national questions, which are at the heart of Uganda's state formation (Mushemeza, 2001). It can thus be argued that Uganda as a state is too heterogeneous and diverse, ethnically and historically, to form a single, cohesive state.

Following the contested general elections of 1980, the current President Yoweri Museveni led a five-year rebellion, eventually coming to power in 1986. Since then, there has been a relatively stable and functioning government with functional institutions of state. Some economic improvements, improvements in human rights observance, plus social and political transformation have taken place in most parts of the country (International Crisis Group, [ICG], 2004). Nonetheless, between 1986 and 2006, Museveni faced considerable opposition

from many of the 56 different ethnic groups throughout the country, in the form of more than 27 armed insurgencies<sup>6</sup> (Hovil & Lomo, 2004; Hovil & Lomo, 2005).

During the past two decades, Uganda has experienced other internal wars and seen the disbandment of several rebel groups. The Uganda People's Army (UPA), a rebel group recruited primarily from the Iteso people (an ethnic group in eastern Uganda) was active between 1986 and 1992, and its activities were ended through the mediation of the Teso Commission<sup>7</sup> (Epelu-Opio, 2009).

Another group is the Allied Democratic Forces (ADF), a rebel group that is also opposed to the Ugandan government. It was based in western Uganda with other bases in the Democratic Republic of Congo (DRC). It began as a minor group in the forested Rwenzori mountain range along the DRC border in 1996, but expanded its activities over the next several years. It was reported that by 2004, the rebel group had been largely destroyed by the Ugandan army. Another rebel group is the People's Redemption Army (PRA) which was reportedly defeated by the Ugandan Army. However, the existence of this rebel group is disputed by analysts although the Uganda government has asserted its existence for several years. This rebel group is allegedly based in the eastern DRC, and it was estimated as having approximately 2,000 rebel fighters in 2004 (ICG, 2004).

The Holy Spirit Movement (HSM) was a Ugandan rebel group that existed between August 1986 and November 1987. It was led by Alice Auma, a spirit-medium who claimed to receive direction from the spirit called Lakwena, who directed her to form the HSM in 1986. The rebel leader was an ethnic Acholi herself and started the HSM in Acholi. This rebel group later transformed into the present-day LRA after the leader of the HSM was defeated by the Ugandan army and exiled to Kenya, where she died in 2007.

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<sup>6</sup> These include rebellions by: Action Restore Peace, Allied Democratic Forces, Apac rebellion, Citizen Army for Multiparty Politics, Force Obote Back, Former Uganda National Army, Holy Spirit Movement, the Lord's Army, Lord's Resistance Army, National Federal Army, National Union for the Liberation of Uganda, Ninth October Movement, People's Redemption Army, Uganda Christian Democratic Army, Uganda Federal Democratic Front, Uganda Freedom Movement, Ugandan National Democratic Army, Uganda National Federal Army, Ugandan National Liberation Front, Ugandan National Rescue Fronts I and II, Ugandan People's Army, Ugandan People's Democratic Army, Uganda Salvation Army, and the West Nile Bank Front. Compiled from Hovil and Lomo (2004) & Hovil and Lomo (2005).

<sup>7</sup> This Presidential Commission, made up of 6 Commissioners – all them coming from the Teso sub-region, was established to manage the conflict, promote peace and reconciliation in this sub-region (Epelu-Opio, 2009:IX).

The Uganda National Rescue Front (UNRF) was a rebel group composed of former supporters of former Ugandan President Idi Amin (1971-1979). The group was made up of two former armed rebel groups in the West Nile region of Uganda. The first UNRF was formed to oppose President Apollo Milton Obote during his second term (1980-1985) as president of Uganda. The second UNRF was a rebel group that broke from the West Nile Bank Front (WNBF) in 1996, and included members of the original UNRF who did not make peace with President Museveni's government. On December 24, 2002, the UNRF II signed a formal ceasefire with the GoU, and a battalion of UNRF II soldiers were incorporated into the Ugandan army (Branch, 2005).

Other smaller rebel groups included the Uganda People's Democratic Army (UPDA), a rebel group that operated in Northern Uganda from March 1986 to June 1988, and the WNBF which led a campaign against the GoU between 1995 and 1997, during which time it had bases in Sudan and the DRC.

One significant rebel group that has neither been completely defeated nor disbanded is the Lord's Resistance Army (LRA). It is a sectarian/religious and military group that was based in Northern Uganda for most of the time, with bases in South Sudan. The group was formed in 1987 and was engaged in an armed rebellion against the Ugandan Government in what has been described as one of Africa's longest and deadliest conflicts. The LRA is accused of widespread human rights violations, including murder, abduction, mutilation, sexual enslavement of women and children, and forcing children to participate in hostilities (Branch, 2005). Following the Cessation of Hostilities Agreement (COHA) signed with the GoU, the LRA is now reported to be operating in parts of Sudan, CAR and DRC. The rebel group was recently listed among terrorist groups by the US government and has been brought into global focus by Invisible Children, an NGO that targeted Kony, the leader of this group.

Since this study was located in Northern Uganda, further discussion about the Northern Uganda context will follow.

### 1.3 The Acholi People and the Acholiland Context

The Acholi are a collection of small ethnic groups brought together by the Luo migration<sup>8</sup>. They are part of a bigger Luo group found in Kenya where they are closely related to the Joluo people, and in South Sudan, where they are closely related to the Nuer and Dinka people (Nzita & Niwampa, 1993:86). Their origin can be traced from Rumbek in South Sudan from where natural calamities<sup>9</sup> forced them to move in search of new areas of settlement (Nzita & Niwampa, 1993:87). While some groups of Acholis moved to Ethiopia, others moved to Uganda. Those who moved to Uganda intermarried and assimilated with some sudanic-speaking people in Northern Uganda, thus producing the Acholi (Nzita & Niwampa, 1993:87-88). Historically, the Acholi had a centralized system of government, although colonialists preferred to rank them among the stateless societies. They were organized into chiefdoms, each with a hereditary ruler known as the *Rwot*, who was a central figure with executive, judicial and legislative powers (Nzita & Niwampa, 1993:96). In terms of the economy, the Acholi participated in mixed farming and hunting (Nzita & Niwampa, 1993:96). When the peasant production of cotton was introduced under colonialism, it defined the Acholi's primary role in the colonial economy.

The current state of affairs in Acholi can be traced to the early 1960s when Acholi was a marginal area. Since it was dry and sparsely populated, it attracted limited interest on the part of the colonialists, who were more interested in Buganda, a region in central Uganda (Atkinson, 1994:4). During the British reign, typical methods of indirect ruling were adopted which meant that power was allocated to the Buganda people of the central region. Northern tribes, predominantly the Acholi and Langi, were predominantly members of the military (Nannyonjo, 2005:475). It is from the Acholi that recruits were drawn into the colonial army and police force. The Acholi also provided the much needed migrant labour for the more populous and 'developed' south. By the end of the colonial war in 1962, 5,600 Acholi were serving in the army. Demobilization after the war saw most of these men discharged, although enough of them remained in the armed forces making them the Ugandan tribe with the highest number of soldiers (Atkinson, 1994:7).

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<sup>8</sup> History has it that the Luo migrated to East Africa from the Anuak tribe of South-Western Ethiopia (<http://luounite.net/2009/04/03/the-luo-migration-and-the-chollo-kings/>).

<sup>9</sup> These calamities included human and animal diseases, droughts, floods, and external pressure from the Galla tribesmen and internal conflicts (Nzita & Niwampa, 1993:87).

To the colonialists, the Acholi had little to contribute to the ‘development’ of the colonial economy, since they were physically far away from central Uganda, with a sparse population living on land with limited productive capacity (Atkinson, 1994:4-5). In addition, early colonialists perceived the Acholi to be “naturally lazy, inferior and averse to work.”<sup>10</sup> The Acholi were also seen to have had a relatively small-scale and decentralized nature of political organization, and thus the colonialists viewed them as neither a feared enemy nor a valued ally (Atkinson, 1994:5). Although the colonialists recognized Acholi as one of the colonial districts in the Ugandan protectorate by 1902, political authority there was restructured; the political system of governance and chiefdoms used in the region was imported from central Uganda and imposed on them (Atkinson, 1994:5).

### **1.3.1 Political history of Acholiland:**

The Acholi have played a significant role in Uganda’s pre and post-independence political process. During Uganda's colonial period, the British encouraged political and economic development in the south of the country, in particular among the Baganda. In contrast, the Acholi and other northern ethnic groups supplied much of the national manual labour and came to comprise a majority of the military, creating what some have called a military ethnocracy. Due to a changing economy, after the 1950s, fewer Acholi were recruited to the armed forces, but continued to be associated with them in popular memory and stereotypical references (Atkinson, 1994).

Regarding Uganda’s and indeed Acholi’s political history, the current social problems experienced in the country are based on the way the political elite have used ‘ethnic groupings’ to divide the population since independence. In fact, one of the structural causes of the two-decade conflict in Northern Uganda is said to be the diversity of ethnic groups which have different parent-client relationships with the state, as a result of relative difference in the levels of socio-economic development and political ideology.

The political and armed conflicts in Acholi can be traced to the early leaders of post-independence Uganda. President Apollo Milton Obote, Uganda’s first leader after independence came from Northern Uganda and relied on Acholi and Langi Luo people in

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<sup>10</sup> The initial Acholi response to peasant cash cropping and labour migration was not particularly enthusiastic.

government. President Idi Amin, also from northern Uganda, overthrew Obote's government and established a dictatorship, ultimately suppressing and killing 300,000 persons, including many Acholi. General Tito Okello, also an Acholi, came to power in a military coup. He was defeated in January 1986. Despite the years of leadership by men from the North (Acholiland), that region continued to be marginalised economically after independence, and has suffered higher rates of poverty than other areas of the country (Latigo, 2006). Moreover, the cultural identity of the Acholi people has undergone changes, becoming reshaped by conversions to Christianity and the impact of modernity. Young people, who had been born during the times of conflict (1986 - 2006), did not grow up experiencing the older traditional practices. Some Acholis were exposed to life in the towns or in diasporas (Wasonga, 2009:37).

This political history, coupled with the unique socio-cultural and economic profile of the Acholi people, seems to have contributed towards the development of “Acholi exceptionalism” (Francis, 2012; Cooper *et al*, 2011). Thus the Acholis’ unique set of circumstances, their marginalisation despite producing some key leaders and occupying positions in the army and the police, being ruled by the south; all contribute to their being regarded quite differently from other ethnic groups.

### **1.3.2 Political economy of Uganda and Northern Uganda**

The political economy of Uganda is influenced by a number of social-economic, cultural, legal, political and institutional factors that determine the creation and distribution of wealth, including the laws governing its production and distribution. The state’s ability to put in place functional governance systems that ensure the creation and equitable distribution of wealth among all its citizens is also dependent on the reigning political ideology and economic development strategies of the state (Robinson, 2006).

Over the last three decades, Uganda’s political economy has tended to focus on a capitalistic ideology, having been more inclined to socialism and communism in the early years after independence. In this regard, it has been argued that Uganda’s political economy is one characterised by weak governance systems, one devoid of equitable regulation and one that is not governed by institutionalised mechanisms (Oloka-Onyango & Barya, 2007). This context has complicated the creation and implementation of progressive public policy in Uganda. This situation is partly rooted in Uganda’s violent political history where more than two of its

five post-independence decades have been characterised by civil wars, many of them internal. The country has been ruled by dictatorships and quasi-civilian regimes that lacked legitimacy. To this end, rulers practiced politics of divide and rule in order to build coalitions and win over the uncooperative sectors of the country.

In this regard, Northern Uganda - and Acholi region in particular, having lost political power in 1986, has been opposed to the new government of the National Resistance Movement for most of the past three decades of President Museveni's rule. This opposition has meant that several armed groups have emerged and got support from some sections of the population in Acholi region with the hope that they would stand a chance to regain political power. As a result of the existing neo-patrimonial governance system, a number of wars have been produced and reproduced over the past two decades, thereby affecting the region's socio-economic performance, in addition to affecting the region's education, health and other sectors. The region has, thus become the most under-developed in the country. The region has complained about marginalisation and exclusion from central governance, and was described by Shaw & Mbabazi (2007) as the most underdeveloped region in Uganda. The recently ended war which affected the region for more than two decades and displaced more than 1.8 million people has left an indelible scar on the region, which is marked by poverty, disease, low literacy, high HIV prevalence and unemployment (Nannyonjo, 2005).

### **1.3.3 Patterns of Conflict in Acholiland**

The Lord's Resistance Army, hereafter referred to as LRA, has committed numerous atrocities against the people of Acholiland and neighbouring populations, including enslavement, murder, imprisonment, torture, rape and sex slavery (Allen, 2005). The LRA's cruelty and coercive methods led people to question the LRA leader, Kony's goals, denying him blessings from Acholi elders and support from the broader Acholi population. The LRA therefore turned their weapons on their own people in Acholi, looting homes, destroying villages, and abducting boys and girls as young as eight or nine (Finnstrom, 2003). The conflict in Northern Uganda is complex and it is difficult to state who was really fighting on behalf of the Acholi's cause, because both the LRA and UPDF have committed atrocities against the Acholi people (Wasonga, 2009).



#### **1.3.4 The Northern Uganda Conflict (1987 – 2006)**

For 21 years, Northern Uganda suffered the effects of a conflict between the GoU and the LRA, a rebel group that has its origins in Northern resistance movements formed in the mid-1980s, in response to the rise to power of the country's current president, Yoweri Museveni. The conflict evolved into a brutal insurgency that directly targeted the civilian population. According to Schomerus (2007:12), the LRA has been something of an unknown entity for many years, attracting wide speculation about its motives and the strength of its fighting forces. The LRA's tactics included the looting of villages, massacres, indiscriminate killings, mutilation, and the abduction of children who have then been forced to serve as soldiers or sex slaves (Oxfam International, 2007:5). According to Schomerus (2007:10), the conflict has been marked by barbaric brutality, political manoeuvring and propaganda on both sides.

The ICG (2004:i) notes that the conflict had four main characteristics. Firstly, it was a struggle between the GoU and the LRA and, secondly, it was the predominantly Acholi<sup>11</sup> LRA combatants and the wider Acholi population, who bore the brunt of violence. This violence appears to have been aimed at coercing the Acholi to support them and discrediting the GoU locally and internationally. Thirdly, the conflict was fuelled by animosity between Uganda and Sudan, who supported rebellions in each other's territory. Finally, this conflict seems to be a continuation of the North-South conflict that has marked Ugandan politics and society since independence. On the international scene, the US government accuses the LRA of killing, raping, and mutilating the people of central Africa; stealing and brutalizing their children; and displacing hundreds of thousands of people. Its leadership has been indicted by the International Criminal Court (ICC) for crimes against humanity. The LRA has no agenda and no purpose other than its own survival and it is filling its ranks of fighters with the young boys and girls it abducts (United States Government, 2010).

The roots of the conflict in Northern Uganda date back, mostly to the colonial period (Doom & Vlassenroot, 1999). Since the colonial period, there has been an ongoing rivalry between the Acholi people and the southern tribes (Jackson, 2002). The LRA's two-decade long conflict in Northern Uganda, Southern Sudan, and most recently the DRC is one of the most violent imaginable, yet it is still not clear why it is fighting this war (Vinci, 2007:337). The

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<sup>11</sup> *Acholi* is an ethnic group from the present-day districts of Gulu, Kitgum, Amuru and Pader in Northern Uganda, an area commonly referred to as '*Acholiland*'.

conflict has not had the structure of a traditional civil war or ethnic conflict. The LRA leader is described more aptly as a warlord and his militia consists of significant numbers of abducted children and youth. Acholi communities are treated as a resource base for food and abducted fighters (Veale & Stavrou, 2007:275). The contemporary LRA lacks any obvious political motivations that might be used to explain the conflict. It has no realistic political demands that it communicates to the outside world. LRA's complete lack of indigenous support has meant that there is not a basis for political dialogue between themselves and GoU on which to negotiate political goals (Vinci, 2007:342). The LRA has also been said to be void of political content and rationale; it has no autonomous political logic and no political agenda; its dedication to meaningless violence is the prerequisite for it to be simply an instrument of others, hence the difficulty to negotiate with them (Branch, 2005:4-5). The LRA has argued that they want Uganda to be governed in accordance with the Christian Ten Commandments (BBC, cited in Branch, 2005:4).

However, some see the conflict as a means of bringing about political change, such as the overthrow of the National Resistance Movement (NRM) government; providing economic gain, or fulfilling the strategic objectives of Sudan (Vinci, 2007:344, 348). Other observers propose that the LRA is simply a bizarre movement that is a proxy in a war between Uganda and Sudan (Prunier, 2004:359). The LRA may have begun its war for instrumental goals, such as to create political change, but these goals have largely been replaced by existential goals: in a sense, the LRA is fighting in order to continue providing security and a vocation to its members, which would be lost by a return to wider society (Vinci, 2007:337).

The LRA quite literally provides for the survival of its members. It also provides for secondary existential needs, such as vocation<sup>12</sup>, and a sense of belonging (Vinci, 2007:346). For some, it is nothing more than a survival strategy – survival by the gun (ICG, 2004), whereas for others, those who live comfortably in the bush, it is rebellion as career and hence its perpetuation (Doom & Vlassenroot, 1999:36). It seems that Kony is no longer interested in winning the conflict, but that violence has become both a means and an end in itself.

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<sup>12</sup> Such as some form of engagement and employment away from the normal life they would otherwise lead in their communities of origin.

However, the LRA's lack of a political agenda is not universally accepted among some academics and analysts who argue that the LRA might have a political agenda, which it has simply not articulated effectively (Refugee Law Project [RLP], 2004b; Finnstrom, 2008). According to Finnstrom (2008), the LRA has consistently demanded the end of the war through negotiations, the dismantling of IDP camps, the national political integration of the Acholi on an equal basis with the rest of the country, an end to the genocide of the Acholi, reparations for lost cattle, free and fair elections, and a multi-party state. Significantly, these demands match the grievances of the Acholi population. However, there are irreconcilable differences between the LRA and the Acholi population because of the LRA's violent methods which negates any claims that it may be a legitimate champion of Acholi grievances (ICG, 2004:9).

Also, the LRA has separated itself from the greater Acholi society and this is the root of its reluctance to end the war (Vinci, 2007:347-348). In fact, because guerrilla warfare is basically derived from the masses and is supported by them, it can neither exist nor flourish if it separates itself from their sympathies and cooperation (Tse-Tung, cited in Vinci, 2007:347), which seems to be the situation with the LRA rebellion at the moment. Although it is argued by some that the LRA is a widely accepted mouthpiece of the Acholi people who were on the verge of genocide (Doom & Vlassenroot, 1999:22), the fact is that it has lost a lot of its legitimacy and is no longer seen as the armed representative of the Acholis. Rather, it now represents itself, which is based on specific initiation and inclusion practices. As such, its political goal is to continue existing as a separate unit, which necessitates continual warfare (Vinci, 2007:338). Other observers agree that the LRA violence is too extreme to be seriously considered as a legitimate force pursuing the realization of any political goals (Branch, 2005:7).

Despite the aforementioned analysis, there are suggestions that the arguments against the LRA violence – the fact that it is religiously driven; that it lacks a political agenda; that its violence levels are in excess of a political goal; that it engages in human rights abuses and that it lacks open support – are not enough to dismiss it politically (Branch, 2005:8). The LRA movement is almost entirely organized around its leader, Joseph Kony, who is believed by many Acholi to be possessed by powerful spirits (Allen, 2005). Kony's war has ironically turned against the very same civilian population he claims to be fighting for, inflicting inhumane acts and causing widespread despair and hopelessness (Maina, 2009a:48).

### **1.3.5 Major Causes of the Conflict**

There are numerous explanations as to the root causes of the various rebellions in Northern Uganda (Kasaija, cited in Nhema & Zeleza, 2008b:52). For example, it is suggested that the conflict was a struggle by Acholis who have borne the brunt of many successive conflicts; that it was fuelled by animosity between Uganda and Sudan, which support rebellions in each other's territory; and that it is a continuation of the north-south conflict, which has marked Ugandan politics since independence (ICG, 2004). In particular, it is suggested by Pham & Vinck (2010:8), that the uprising resulted from the long-standing political divide between the North and South of Uganda, and that it was a direct response to President Yoweri Museveni's NRM and its efforts to consolidate control over the Northern part of the country. To add to this, Schomerus (2007:14) suggests that the lack of political representation from the northern region, repeated human rights violations at the hands of the military, nationwide socioeconomic underdevelopment, and government corruption all lie at the heart of the Northern Uganda conflict. The Refugee Law Project (RLP, 2004a) contends that there are two major causes of this war: Firstly, there is a history of recurring violence and the marginalisation of the northern region, characterised by the existence of a north-south divide, which is explained by the economic imbalance that was created during the colonial era. Secondly, it is proposed that the LRA rebellion is a competition for resources, since the LRA has been fighting the Museveni-led government since his rule began in 1986.

In addition, Coughlin (2010:9) suggests that regional and ethnic discrimination, a lack of national identity, a culture of violence, and a level of insecurity add to the conflict. Moreover, this situation induces tension, incompatibility and injustice, while propagating hatred. To add to this, active LRA fighters have argued that they are marginalised, abused and excluded from Uganda's development by an oppressive regime (Schomerus, 2007:12).

Further, the major causes of the conflicts in Uganda, and Northern Uganda in particular, can be divided into two sets of factors, namely: political/ historical and security/ socio-economic. Political and historical factors include poor representation, marginalisation from central institutions, a regional divide between the north and south, divisive colonial policies and corruption. Security factors include impunity by armed groups against unarmed civilians, human rights abuses, criminalisation, proliferation of small arms and weak border controls. Socio-economic factors include imbalances in public investments and fiscal transfers,

underdevelopment, weak social service provision, competition over scarce resources and land disputes (GoU, 2007:8). Nonetheless, analysts and observers argue that the LRA insurgency lacks any clear (and negotiable) political objective. Although some of the objectives of the LRA include the need to overthrow President Yoweri Museveni; the restoration of the order of legitimacy in Uganda; the need to cleanse and purify Uganda through establishment of a government that rules in accordance with the Ten Commandments of God; and the restoration of Acholi culture, the actual driving logic of the LRA rebellion remains unclear (Mabikke, 2011:3-4). Vinci (2007:342-344) identifies the major motivations as being political, economic and the Sudan factor. Nonetheless, the goals of the conflict remain unclear:

“Throughout the conflict, neither Kony, nor any other member of the LRA, has produced a clear, sustained description of the realistic goals of the organisation. Moreover, it is not immediately obvious from the nature of the LRA’s attacks exactly what its goals and motivations are. However, one can only speculate about some of the possible motivations behind the ongoing conflict” (Vinci, 2007:342).

Nonetheless, rebellion can typically be explained by severe grievances, such as inequality, lack of political rights or ethnic and religious differences in society (Collier *et al*, 2009; Collier & Hoeffler, 2001). In this connection, Jackson (2002) contends that, although the LRA initially fought to establish their rule based on the Ten Commandments and also to liberate the people living in occupied Northern Uganda, these political motivations became less important over time. Also, the clarity of grievance declined, as the conflict progressed.

### **1.3.6 Impact and consequences of LRA on Acholiland**

The conflict in Northern Uganda has led to extensive loss of life and property. It is estimated that approximately 100,000 deaths had occurred by the end of 2006, in addition to the increased number of orphans, estimated to be about 25%-28% of the population of Northern Uganda by 2006. Moreover, the number of households headed by children and widows constituted 12% of the population in Northern Uganda (ICG, 2006b). Furthermore, many more people have died as a result of preventable diseases and malnutrition. A study by Civil Society Organisation for Peace in Northern Uganda (CSOPNU) showed that one in five children in Northern Uganda had lost either one or both parents. One in three young men, and one in six young women, have been abducted by the LRA at some point in their lives, (CSOPNU, 2007:5).

Also, the over dependence on the natural environment has led to environmental degradation, particularly deforestation and charcoal burning, which have significantly affected the quality of the physical environment. The challenges faced by internally displaced persons (IDPs) across several indicators varied not only from one IDP camp to another, but also from district to district, even in the same region. However, in general, the Northern region has become the poorest in the country, primarily because of the LRA's activities (GoU, 2004b:100).

In addition, there have been abductions of up to 60,000 children (12,000 in 2004 alone), population displacement (over 2 million people by the end of 2006), food insecurity caused by the fact that 78% of the population has limited access to productive land, and total dependence on emergency humanitarian aid by 84% of the displaced people (CSOPNU, 2007). Besides the disruption of basic social services, increased incidences of violence especially against women and children, poverty, loss of livelihoods, loss of productivity estimated at US\$ 100 million annually there was a higher prevalence of HIV (8%) compared to the national average, which is 7% (GoU, 2012b). Findings of a survey on HIV prevalence among IDPs by the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization (WHO) released in March 2007 indicated that HIV prevalence rates in Northern Uganda, which was home to an estimated 1.8 million IDPs, were over 8% (UNAIDS & WHO, 2008).<sup>13</sup> Thus, the war resulted in increased levels of poverty, insecurity and lawlessness (Women's International League for Peace and Freedom, 2006).

During all the years of conflict, the northern region of the country missed opportunities for economic and social development, and thus the region remains under-developed. The impact of the armed conflicts has in fact led to a humanitarian crisis.<sup>14</sup> The conflict not only led to a loss of life of tens of thousands of people, significant destruction of property and breakdown of the social, economic and other infrastructure and networks, but also the massive population displacement into IDP camps (UNDP, 2007b:9). To illustrate the severity of the

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<sup>13</sup> The national average of HIV prevalence in Uganda by the end of the conflict was 6.2% (2006) while it was as high as 11.9% for Northern Uganda.

<sup>14</sup> A crisis is defined as: "An unstable or crucial time or state of affairs in which a decisive change is impending, especially one with the distinct possibility of a highly undesirable outcome" (Webster's 9th Collegiate Dictionary, 1987).

conflict, the then UN Under-Secretary General for Humanitarian Affairs, Jan Egeland made the following statement on his visit to Uganda in November 2003:

“Where else in the world have there been 20,000 kidnapped children? Where else in the world have 90% of the population in large districts been displaced? Where else in the world do children make up 80% of the terrorist insurgency movement? For me, the situation is a moral outrage... A much bigger international investment is needed — in money, in political engagement, in diplomacy and also more concerted efforts to tell the parties that there is no military solution... there is a solution through reconciliation, an end to the killing and the reintegration<sup>15</sup> and demobilization of the child combatants” (UN, 2004).

In addition, a study done in 2007 study reported that 19% of children who returned from the war suffered from PTSD.<sup>16</sup> This report showed that former LRA child soldiers who had symptoms of PTSD were more likely to experience feelings of revenge even after the war had ended, confirming reports of isolated cases of violence encountered in rehabilitation centres for LRA ex-combatants in Gulu (*Daily Monitor*, 2 August 2007). PTSD is defined as experiencing three types of persistent symptoms following a traumatic event: re-experiencing the event through intrusive memories, dreams, or flashbacks, or feeling distress upon exposure to trauma-related stimuli; avoidance of people, places, or things that remind the person of the traumatic event; numbing of feelings or detachment from others; increased arousal, including increased heart rate and muscular tension, restlessness, difficulty sleeping, irritability, poor concentration, feeling on guard or hyper vigilant, or having an exaggerated startle response (Yehuda, 2002:108). Further, 26% of adults had a severely depressed mood, 20.4% of whom had developed suicidal behaviour. At the same time, 11.9% of them were dependant on alcohol.

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<sup>15</sup> Reintegration is the process of helping former combatants return to civilian life and readjust both socially and economically (Machel, 2001:14).

<sup>16</sup> Witnessing or executing shootings, witnessing someone being wounded, and having been seriously beaten. After abduction, all the children reported having undergone brutal initiation into rebel life. Often they were compelled to beat or hack to death fellow child captives who were attempting to escape (See “Ex-child soldiers could seek revenge”, *Daily Monitor* 2 August 2007, pp. 3).

Regional imbalances have occurred as a result of the long-term conflict, and the population of Northern Uganda have been unable to make any remarkable progress towards achieving the MDGs<sup>17</sup> (United Nations Development Programme [UNDP], 2007a).

Joseph Kony, leader of the LRA, continues to abduct children to conscript into his rebel forces; the boys are used as soldiers, and the girls are used by him and his fellow rebels as their wives, as carriers of supplies and even as soldiers. Kony and his troops continue to perpetrate brutal atrocities against the people of Northern Uganda (Quinn, 2009:56). Although the scale of abduction is a matter of speculation due to insufficient monitoring, it is estimated that between 30,000 and 45,000 children have been abducted by the LRA (Allen, 2005:iii). Tens of thousands of civilians have been forcibly recruited by the LRA, over two decades of war – two thirds of them children under the age of 18, many of whom have since escaped and asked to be reunited with their communities (Blattman & Annan, 2008:1). Given the impact of the war and its consequences, it is understandable that the Acholis' support systems and other institutions such as health, welfare, education and beliefs all require some measure of reconstruction (Wasonga, 2009:37).

It is important to note that the conflict in Northern Uganda has also affected the other regions of the country. The British Parliament (2006:12) estimates that NGOs and the international community have spent approximately US\$200 million per year to support IDPs. Although these substantive funds have in many ways contributed to the survival of IDPs in the region, much more could have been done to rebuild the social/moral fabric of these people through transformative conflict resolution processes that take cognisance of their cultural practices aimed at healing. The conflict in Northern Uganda continues to retard Uganda's economic development efforts. At the end of 2002, it was estimated by CSOPNU (2002:2) that a cumulative total of US\$ 1.33 billion, equivalent to 3% of Uganda's GDP or 100 million US\$ was spent annually on the conflict.

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<sup>17</sup> MDGs are eight goals to be achieved by 2015 that respond to the world's main development challenges; they are: eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and empowering women, reducing child mortality, improving maternal health, combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability, and developing a global partnership for development ([www.un.org/millenniumgoals/](http://www.un.org/millenniumgoals/)).



### **1.3.7 Internal displacement: the global, regional, national and Acholi context**

The United Nations (UN) defines IDPs as “people or groups of people who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of, or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-induced disasters, and who have not crossed a recognized international border” (GoU, 2004a:X). Conflict situations are generally complicated by large numbers of IDPs (Thomas, 2009). The phenomenon of IDPs is relatively new, having received international attention in the early 1990s. In 2007, close to half of the people internally displaced by conflict worldwide were in Africa, spread across 20 countries, and Uganda alone hosted more than one million of them (Internal Displacement Monitoring Centre [IDMC], 2008:23).

At the end of 2010, an estimated 15.4 million people sought refuge from conflict outside their home countries, and another 27.5 million were displaced internally (Thomas, 2009). By the end of 2011, more than twenty-six million people had been internally displaced by conflict and violence across the world; more than one third of these were in Africa, the region with the highest number of IDPs, and outnumbering refugees by five to one (Internal Displacement Monitoring Centre [IDMC] & Norwegian Refugee Council [NRC], 2012:3). Three of the world’s top five countries with the largest populations of conflict-induced IDPs are in Africa: Sudan with an estimated 4.9 million IDPs; the DRC with over one million IDPs; and Somalia with an estimated 1.5 million (Solomon, 2009:1). Armed conflicts are the primary cause of internal displacement in the Great Lakes region, and particularly in countries such as Sudan, the DRC and the CAR (Kalin, 2007:1).

By May 2009, approximately 823,000 (60%) of IDPs in Uganda had returned to their villages of origin, while a further 244,000 (18%) were in transit sites (Interagency standing committee [IASC], cited in Mallett, 2010:35). With an estimated 90% of its population displaced over the last two decades, Northern Uganda’s Acholiland has been the country’s worst affected region (Mallett, 2010:34). One of the global challenges of handling the concerns of IDPs is the absence of adequate international regimes to protect and advocate for their rights. Unlike their refugee counterparts, who are protected by the International Refugee Convention of 1951 and other legislations, IDPs are deemed to be the business of national governments (Thomas, 2009).

As a result, the phenomenon of IDPs is a new challenge because governments often lack proactive and comprehensive local and national systems and mechanisms to deal with their concerns. In some countries, IDPs are not a national priority, while other countries lack the resources required to deal with their unique needs. As a result, many IDPs have tended to consider themselves as ‘a hopeless and marginalised group of people’, and in many areas, the absence of adequate state structures, combined with pervasive lawlessness, expose IDPs, particularly women and children, to extremes of violence and abuse (Thomas, 2009; Mallett, 2010).

In the case of Uganda, there remains the challenge of assisting urban IDPs, currently estimated to be between 300,000 and 600,000 (Mallett, 2010:34). IDPs that live outside camps who are not registered and of whom not much is known. Such challenges in identifying them make it difficult for the government and the humanitarian actors to address their needs (Refstie *et al*, 2010:32). In particular, while the urban poor and IDPs face similar challenges, these are exacerbated in the IDPs’ case by psychosocial vulnerabilities stemming from their conflict-related experiences, weak support networks in the urban areas and, in some cases, language differences between the IDPs and the local communities (Refstie *et al*, 2010:32-33). Considering the abject conditions of many Ugandan IDP camps, urban destinations may appear advantageous but the reality can be very different (Mallett, 2010:34).

Internal displacement is a humanitarian, human rights, peace building and development challenge (IDMC & NRC, 2012:3). In fact, while forced displacement is a humanitarian crisis, it also has significant developmental impacts affecting human and social capital, economic growth, poverty reduction efforts and environmental sustainability. Forced displacement has an important bearing on meeting the MDGs, since displaced populations tend to be the poorest and often find it difficult even to access basic services (World Bank, 2011). For instance, the lives of IDPs in urban areas are characterised by a lack of amenities, inadequate housing, high morbidity and mortality levels, in addition to low employment prospects (Mallett, 2010:35).

In view of the aforementioned, the involvement of IDPs in peace processes albeit challenging given their circumstances can be justified by the fact that most IDPs have become party to conflict, and that their inclusion is therefore necessary for conflict resolution (Koser, 2007:13). In the absence of opportunities for participation, conflict-affected communities can

lose trust and confidence in a peace process that does not solicit their input, and where actors in the peace process do not consult or inform them about processes and progress of the peace initiative. In the case of Northern Uganda where the community already has little trust in government because it failed to protect them adequately from violence, forcing them into IDP camps, and not even providing adequately for their most basic needs during displacement, such a situation can grossly undermine any prospect for sustainable peace (CSOPNU, 2004). Against this background, one can understand the need to include these ‘voices from the periphery’ who were actually at the centre of the conflict. Bearing this in mind, the Juba Peace Process will be briefly discussed.

### **1.3.8 The Juba Peace Process**

The Juba peace process, and in particular the peace talks, started in July 2006 and ended in April 2008. Several accords, based on the five-item agenda were signed by all parties, but the Final Peace Agreement (FPA) was never signed. However, even when peace agreements are reached, peace processes may take years, or even generations, before they are finalised; examples of Northern Ireland and Sudan illustrate this point (Irwin, 1999:305). The most formal process to resolve the violent conflict in Northern Uganda has become known as *the Juba Peace Process*, because the peace talks were held in Juba, the capital city of South Sudan. During the peace talks, the Government of South Sudan (GoSS) played the role of mediator. The process was widely seen by many stakeholders as the best hope for a peaceful and negotiated settlement of the 21-year-old conflict. In particular, the United Nations Security Council (UNSC) (2008) described the peace talks as the best chance and hope, ever, for peace in Northern Uganda. The peace process was described as being long overdue and was partly precipitated by the indictment of five top LRA leaders by the ICC for war crimes and crimes against humanity in October 2005 (UNSC, 2008:2).

The peace process followed a protracted military engagement between the GoU and the LRA, which persisted from 1986 until 2006, when both parties eventually agreed to hold peace talks. From a purely rational point of view, this decision could have been seen as a tacit admission by all the parties that the conflict could not be resolved through military might or any other exercise of coercive force, but rather in searching for common ground (Muhereza *et al*, 2009:18). Using William Zartman’s phrase, the time when all parties agreed to talk peace

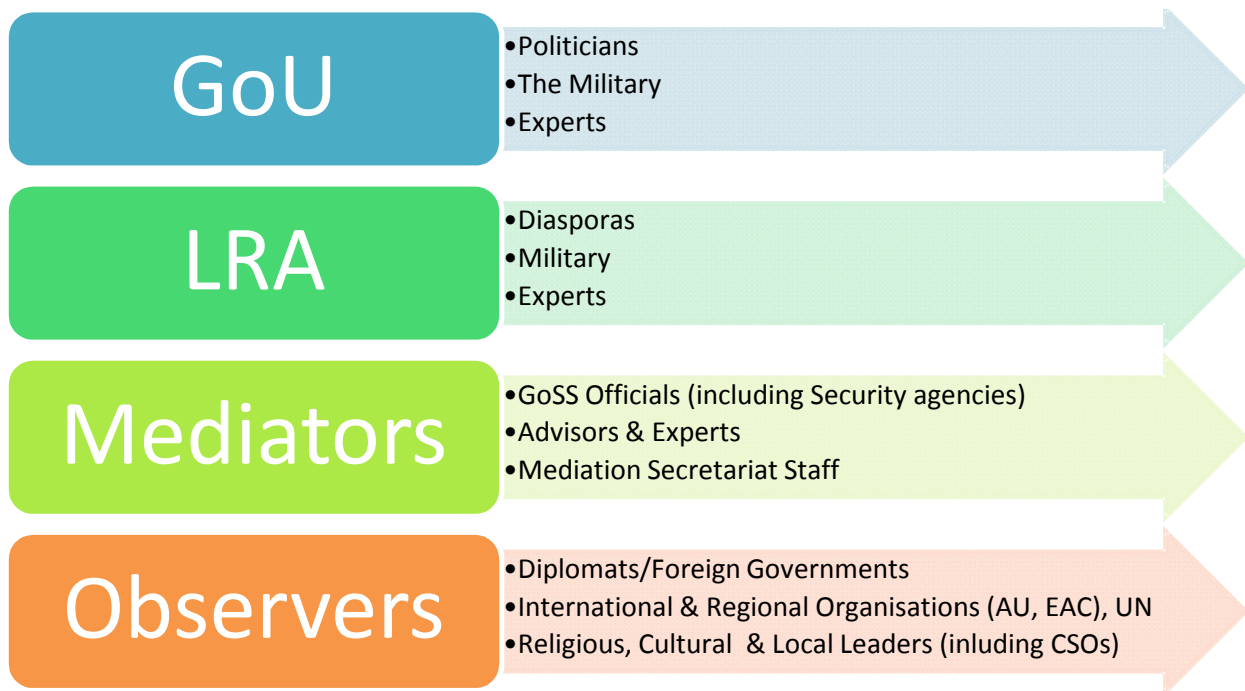
was considered to be that ‘ripe moment’<sup>18</sup> for peaceful conflict resolution (Zartman, cited in Miall *et al*, 1999:162). Indeed, many Ugandans now believe that the peace process was possibly the only ‘soft landing’ for both parties in the conflict (Quinn, 2009:68).

However, after more than four of the LRA leader’s failure to sign the FPA, it is still not absolutely clear as to why he has refused to do so. One cogent argument is that since the ICC indictments were in force during the peace process, these could have affected the negotiation process, as the LRA leadership faced an uncertain future due to their gross human rights abuses. During the peace talks, most of the international attention was focused on questioning the legitimacy, mandate, and knowledge of the LRA peace delegation, which was composed mostly of diaspora members, many of whom were no longer active combatants or political representatives of the LRA (ICG, 2006b). It was also argued that the peace talks were marred by a poor organisational framework, an often slow or ambiguous international response, and a general lack of trust in its validity – as well as the continuing war propaganda coming from both the LRA and GoU (Schomerus, 2007:39). Nevertheless, Schomerus (2007:45) contends that, its shortcomings and obstacles notwithstanding, the Juba peace process presented an opportunity to negotiate a much needed peace agreement that could lead to a cessation of violence and the beginnings of development.

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<sup>18</sup> Zartman postulates that many conflict resolution attempts fail because conflicts are not ripe for negotiated settlement and because parties to the conflict have not yet reached what he calls ‘a mutually hurting stalemate’; he defines mutually hurting stalemate as that moment when both sides realize that it is irrational to continue with the conflict, as they cannot achieve their aims by further violence and that it is too costly to go on (Zartman, cited in Miall, *et al*, 1999:162).

**Figure 2: The Key Actors and Participants in the Juba Peace Process (2006-2008)**



**Source:** Barrigye, 2013 study findings

From **Figure 2:23**, it appears that one of the challenges of the Juba peace process was the elites' lack of connection with the ordinary citizens. The top-level elite who represented the GoU and the LRA, plus the mediation team seem to have done little to engage ordinary people and community leaders in the peace process, and as such, there was limited opportunity for building peace from below (Lederach, 1997:45; Ramsbotham *et al*, 2005:215).

### **1.3.9 The Conflict Resolution Model Adopted in the Juba Peace Process**

Violent conflict has a significant negative impact on economic and social development and frustrates the attainment of the Millennium Development Goals (MDGs) (Igwe, 2011). As a result of conflict, both local and national economies are negatively affected (World Bank, 2002). Burton (1988) suggests that an analysis of conflict requires a study of human relationships which are shaped by economic, social and ecological factors. To attain any meaningful peace, the structural and deep-seated root causes and drivers of any conflict need to be resolved (Bloomfield, 1995). Furthermore, issues of justice, compensation and reparations are key elements that need to be addressed when transitioning towards a new dispensation.

In Northern Uganda, real peace remains elusive, as the Lord's Resistance Army (LRA) remains active in the Democratic Republic of Congo (DRC), Central African Republic (CAR) and the new nation of South Sudan (Conciliation Resources, 2013). Further, the structural impediments to lasting peace and stability in Northern Uganda have yet to be addressed. The perception that peace has been attained when guns fall silent is misleading, since one would have only attained a relative peace or negative peace (Fisher & Keashly, 1991). To resolve violent conflicts, several peacemaking and conflict resolution processes have to be undertaken, ranging from informal to formal ones. While informal conflict resolution processes have tended to be more participatory and inclusive, formal ones have predominantly been elitist, involving mainly high-level representatives and often excluding civil society and ordinary citizens (Botes & Van Rensburg, 2000:43). Supporters of the informal approaches claim that indigenous approaches to peacemaking are participatory and relationship-focused and that the peaceful outcomes are more sustainable since they have a higher degree of community adherence than template-styled western-oriented peacemaking (Mac Ginty, 2008:139-140).

Proponents of the formal approach to intervention in a conflict situation have particularly advocated for mediation, which was the dominant approach used during the Juba peace talks<sup>19</sup> aimed at resolving the conflict in Northern Uganda. As a strategy for conflict resolution, mediation has received growing recognition over the years (Fisher & Keashly, 1991:29). In particular, third party intervention involves interventions by credible and competent intermediaries who assist the parties in working towards a negotiated settlement on substantive issues through persuasion, the control of information, the suggestion of alternatives, and in some cases, the application of leverage (Fisher & Keashly, 1991:30). Also gaining prominence in theory and practice is Bloomfield's complementarity approach to conflict management (1995) which has emerged as a viable, yet still contested model in the field of conflict studies and in practice. The mediation approach places emphasis on the direct involvement of conflicting parties themselves as they attempt to resolve their conflict. It is clear that different mediation models can be used in tandem if need be and that innovative

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<sup>19</sup> The talks are popularly called the *Juba Peace Talks* because they were held in Juba, the capital of South Sudan.

strategies that are inclusive and culturally sensitive would be more acceptable to the parties concerned.

Bloomfield's complementarity approach to conflict management is viewed as an effective strategy of addressing internal conflicts where major actors are relatively well known and familiar with each other, and where the issues at the centre of the dispute are clearly known by the parties (Bloomfield, 1995:152). Bloomfield seems to build on the views of Fisher and Keashly (1991) who advocate for 'an eclectic' or contingency model of third party intervention. In Northern Uganda, the application of a particular mediation model during the Juba peace process was instrumental in fostering peace and stability in the region, and both approaches were applied more or less simultaneously, with some positive results. The major parties to the conflict – the Government of Uganda (GoU) and the LRA rebels – were already known to one another, they were mutually aware of the magnitude of the problem they were trying to solve, and they seemed to have mutual knowledge of the intended outcome of the peace process, although they needed an external, mutually agreed-upon facilitator to steer them towards that destination (Bloomfield, 1995:153).

Before engaging an external facilitator (mediator), representatives of both parties held informal, secret meetings and agreed on issues to bring to the agenda once the formal peace talks began; this appears to have constituted what Stein (cited in Fisher & Keashly, 1991:37) describes as pre-negotiation.<sup>20</sup> These 'behind-the-scenes' consultations were helpful in dealing with some of the substantive and problematic issues, as well as the high levels of miscommunication and mistrust that existed between the parties before formal negotiations went into the public domain. There was mutual complementarity between mediation and consultation at different levels, notably between the key parties to the conflict, and between states that had a high stake in the LRA insurgency, such as Sudan, United States of America (USA), Democratic Republic of the Congo (DRC) and others. At the pre-negotiation stage, there was involvement of both the elite and the middle-range actors, particularly influential and respected religious and cultural leaders (Lederach, 1997:44-45). As a result of the confidence built between representatives of the key parties to the conflict and the middle

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<sup>20</sup> Pre-negotiation is defined as the process that begins when one or more parties consider negotiation as an option and communicate this intention to other parties; pre-negotiation ends when one party abandons negotiation as a policy option or when the parties agree to formal negotiations (Stein, cited in Fisher & Keashly, 1991:37).

range actors, the key parties to the conflict retained these ‘middle –range actors’ and involved them in the formal peace talks.

The relative success of the mediation process can be partly attributed to this approach, which is in line with ideas of Prein (cited in Fisher & Keashly, 1991:33). Appropriate third party intervention, by the mediator and other influential personalities, such as the Paramount Chief of the Acholi people, also occurred whenever hostilities escalated intermittently, or whenever the peace talks threatened to break down, or when there was a stalemate. These actions and processes reflect aspects of the contingency approach advocated by Fisher and Keashly (1991:36). On this basis, it can be said that the Northern Uganda conflict resolution process, particularly the Juba peace talks, was a classic example of third party international mediation and consultation.

Both the GoU and the LRA were under pressure – from victims and survivors, as well as from the international community – to end the conflict. Although they later engaged a mediator, they took responsibility for the outcome of the peace process; this is keeping with Bloomfield’s (1995:152) assertion that conflicting parties will cooperate to redefine their conflict and find an integrative solution. It can also be said the Northern Ugandan peace process was based on the complementarity model, where both negotiation and facilitation were concurrently applied and where a range of actors were drawn in, albeit on a selective basis. Nevertheless, the grassroots were not extensively engaged in this process.

### **1.3.10 Indigenous Conflict resolution and peace building practices**

Endogenous conflict resolution mechanisms refer to those methods that exist within a particular cultural context for dealing with disputes and exist in every community in Africa, Asia, Europe and the Americas (Jacobs, 2005; Mutisi, 2009). In Uganda, there are several indigenous methods of dispute resolution; they include *Mato Oput* of the Acholi, *Kayo Cuk* of the Langi, *Ailuc* of the Iteso, *Ajupe* of the Kakwa, *Ajufe* of the Lugbara, *Aja* of the Alur, and the *ToluKoka* of the Madi, among others. Across Africa, similar traditional justice mechanisms include *Inkundla* in South Africa, *Gacaca* in Rwanda<sup>21</sup>, *Magambo* in

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<sup>21</sup> Gacaca is a traditional mechanism of conflict resolution originally practiced among the Banyarwanda, who use it to resolve disputes at the grassroots level through dialogue and a community justice system (Mutisi, 2009:17).



Mozambique, the gadaa<sup>22</sup> system for the Oromo people of Ethiopia, the guuirt<sup>23</sup> system of Somaliland and *Bashingantahe* in Burundi (Ogora, 2009:1; Mutisi, 2009). In this regard, Zartman (2000) asserts that conflict resolution mechanisms can only be labelled endogenous if they have been practiced for an extended period and have evolved within African societies rather than being the product of external exportation. In contrast to the more formalistic and legalistic conventional peacemaking approaches, traditional and indigenous methods tend to focus on consensus decision making, a restoration of human and resource balance, and compensation or gift exchange designed to ensure reciprocal and ongoing harmonious relations between groups (Mac Ginty, 2008:144). To this end, Lederach (1995) asserts that endogenous methods of healing and reconciliation are based on the premise that understanding conflict and developing appropriate models of handling it will necessarily be rooted in, and must respect and draw from, the cultural knowledge of a people.

Many indigenous conflict resolution and peace building mechanisms use local actors and traditional community-based judicial and legal decision-making mechanisms to manage and resolve conflicts within or between communities. Local mechanisms aim to resolve conflicts without resorting to state-run judicial systems, police, or other external structures (Ogora, 2009). In many parts of Africa, and Acholi in particular, indigenous mechanisms of conflict resolution are used to resolve community disputes before they escalate to large-scale violence or to prevent a resumption of violence after a period of calm.

In some cases, however, indigenous forms of mediation and legal sanctioning often appear in the aftermath of widespread conflict when no other mechanisms for social regulation exist or when existing ones are either inadequate or when they are biased. In most cases, indigenous conflict resolution mechanisms are effective in dealing with interpersonal or inter-community conflicts. This approach has been used at the grassroots level to settle disputes over land, water, grazing-land rights, fishing rights, marital problems, inheritance, ownership rights,

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<sup>22</sup> The Gadaa is a system of age-grade classes that succeed each other in assuming political and social responsibilities. A complete gadaa cycle consists of five age grades. The authority held by elders is derived from their position in the gadaa system.

<sup>23</sup> The guuirt is the highest-level council of elders in Somaliland and the highest traditional authority. Each council consists of a body of elders who represent the lineages in the clan and is headed by clan leaders, or Sultans.

murder, bride-price, cattle raiding, theft, rape, banditry, and inter-ethnic and religious conflicts (Wasonga, 2009: Mutisi, 2009).

Conflict management mediators from the local community are generally more sensitive to local needs than outsiders and are immersed in the culture of the violence-afflicted community. Their activities are rooted in the context of the conflict, address some of its immediate causes, and can bring long-term solutions. They can draw people away from the conflict, breaking its momentum. Thus, many communities perceive conflict resolution activities directed by outsiders as intrusive and unresponsive to indigenous concepts of justice, and therefore prefer to resolve conflicts within their own community (Lederach, 1997).

Indigenous conflict management and resolution mechanisms aim to resolve conflicts locally, preceding or replacing external dispute resolution and thereby reducing reliance on external structures. Traditional mediation helps the community keep control over the outcome of the dispute. Implementing this approach does not require sophisticated party structures or expensive campaigns; it provides a low-cost, empowering means of resolving conflicts within a relatively short timeframe. Mac Ginty (2008:151) nonetheless contends that it is not wise to rely exclusively on traditional methods of conflict resolution as these may reinforce the authority of those who hold the power whilst at the same time imposing social/cultural conformities that may in itself be violent.

Indigenous conflict resolution and peace building strategies need to be understood in its proper context. For example, in the Acholi language, the word *mato* means ‘drinking’ and *oput* is a type of tree with bitter herbs. Hence *mato-oput* literally means ‘drinking of bitter herb’ made from leaves of oput tree. The drinking of the bitter herbs symbolically means that the two conflicting parties accept the bitterness of the past and promise never to taste such bitterness again (Wasonga, 2009:33). As a practice, *mato-oput* is a process requiring the participation not only of the victims and the perpetrator’s communities, in restoring a broken relationship caused by an intentional murder or accidental killing (Liu Institute for Global Issues, Gulu District NGO Forum and Ker Kwaro Acholi, cited in Wasonga, 2009:33).

Traditionally, the offender’s community was required to pay ten heads of cattle for an unintentional murder. Compensation could also be done by taking a human being in exchange

if it was proved that the murder had been a deliberate act. Then in such a case, the offender's community would be required to give one of their young daughters to the victim's community. Culturally acceptable compensatory practices could foster reconciliation between the two parties and bring them together again (Wasonga, 2009:34). However, from a human rights perspective, the surrendering of a young female as compensation could be considered as a gross violation of that child's rights since she is being given as ransom for the offender's community and has to pay the price for the notion of 'collective responsibility'. To the Acholi, however, such compensation is not a punitive measure, but part of a process for healing and re-enhancement of life within the community (Wasonga, 2009:35).

The Acholi people also believe in *Jok*, the divine spirit of ancestors who guide the Acholi moral order. When a wrong is committed, the ancestors send *cen*, the spirit of the dead person in the form of misfortune, unless the elders and the offender take appropriate action to restore the broken relations (Liu Institute for Global Issues, Gulu District NGO Forum & Ker Kwaro Acholi, cited in Wasonga, 2009:32). In terms of family and cultural practices, the Acholi are known for the traditional concept *Kaka*. *Kaka* is a patriarchal lineage of close relatives, especially those related through the maternal side. Among the modern-day Acholi, the *Kaka* identity is an enormously important symbol around which loyalty revolves. *Kaka* is used to establish who is to be trusted and who is not. *Kaka* is known for its powerful socio-political and ideological utility in bringing together Acholi clans, families and kins that are spread all over Ethiopia, Kenya, South Sudan and Uganda.

*Kaka* is a powerful and influential organisational and mobilisational framework for Acholi activism, hence a potentially powerful forum for conflict prevention, although its potential was not maximised during the Juba peace process. The *Kaka* concept is not exclusively used by the Luo speaking Acholi; but it is used by other tribes such as the Madi of Northern Uganda. *Kaka* could be seen to be a much older form of ethnic grouping that predates the notion of a tribe (Atkinson, 1996:475).

According to advocates of traditional methods, the Acholi community interprets punishment more broadly. In traditional Acholi society, shame, mockery, jeering, social rejection and compensation are adequate forms of punishment. The nature and practice of *mato-oput* as an instrument for conflict resolution and reconciliation among the traditional Acholi are based

on the Acholi's understanding of conflict as a life-threatening phenomenon (Wasonga, 2009:31).

At the global level, the relevance of endogenous approaches to post-conflict reconciliation is now widely recognized. The inadequacy of eurocentric and other western models to effectively address healing requirements within societies in Africa is increasingly evident. For example, endogenous Gacaca courts<sup>24</sup> were revived in post-genocide Rwanda to promote peace, justice and reconciliation as well as to end a culture of impunity while promoting accountability (Mutisi, 2009:17). However, critics of endogenous approaches assert that these methods are neither completely adequate nor practical in advancing healing and post-conflict reconstruction (Mutisi, 2009:17). Indigenous approaches, especially in Africa, are very much patriarchal with a strong gender bias resulting in women being excluded from most decision making structures. In particular, critics of the Gacaca court system argue that in its pre-colonial form, the system was used to moderate particular disputes concerning land user rights, cattle ownership, marriage, inheritance rights, and petty theft, among other interpersonal disagreements but could not deal effectively with bigger crimes and mass murder (Werchick, 2001). In fact, more serious crimes, that is, those involving perpetrators with responsibility for organising and executing genocide-related atrocities, are processed through the formal judicial system (Mutisi, 2009:20). On the other hand, the proponents of Gacaca courts argue that endogenous methods represent a model for alternative or restorative justice that fosters healing and reconciliation. Also, a key advantage of the Gacaca system is that it has given the people in Rwanda an opportunity to talk about Genocide, and in so doing, the system offers a visible form of justice in which community members have a voice and opportunity to participate in solving their country's problems (Mutisi, 2009).

In many societies, traditionally mediated resolutions are generally accepted and respected by all concerned parties. However, documentation on the effectiveness of grassroots conflict prevention mechanisms is inconsistent, yet indicates that indigenous mediation may be powerless to address some of a conflict's root causes—centrally-instigated conflict, predatory behaviour linked to exploiting the community for economic advantage and external meddling (Mutisi, 2009).

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<sup>24</sup> Gacaca is a distinctly traditional Rwandan practice although it has been instrumentalized and infused with some European-based ideas about justice.

Indigenous mediators often bring important social influence but may lack the power and the means to enforce the resolutions adopted. Advice is only accepted when both parties agree to it, and both parties must feel their concerns were properly addressed. The power of traditional structures to prevent the re-occurrence of violence may in some cases be rather limited. It could thus be argued that complementary/integrated approaches that are culturally sensitive and which incorporate facets of the formal justice system could lead to better and more sustainable peace settlements. In the final analysis one is searching for a 'just peace' that balances both human and cultural rights.

### **1.3.11 Explaining the Continuity of the War**

The continuity of the war in Northern Uganda for more than two decades leaves more unanswered questions. For example, a study by Dolan (2005) sought to explain why the war continues, despite all the efforts of local, national and international actors. A similar question is raised by Branch (2005:2):

First, why has the Ugandan government been unable or unwilling to end the war for nineteen years? Second, why has the LRA chosen to use extreme violence against the Acholi instead of trying to build popular support?

Some analysts have attributed the government's failure to end the war not to apathy but to intention, to the fact that the government has been unwilling to end the war, partly because it serves the interests of various factions within the Ugandan government and military. Consequently, it is argued that both the Ugandan government and the military have political and economic interests in maintaining the conflict (Branch, 2005:2-3). In addition, the LRA continues the conflict too, because it serves as a profit-making enterprise for those involved, and certainly, the LRA's primary source of survival is through looting (Vinci, 2007:343).

Furthermore, it is argued that the LRA has three pertinent concerns that contribute to the prolongation of the war: mistrust of the GoU; fear of retribution and revenge for atrocities against the Acholi population, which leads to uncertainty about their safety and security if they were to end the rebellion; fear of ceasing the rebellion, which has been their way of life for more than two decades; and uncertainty with regard to the rebel group's economic future (Vinci, 2007:345-347). These justifications have been identified and documented in similar

conflict contexts, particularly in Liberia and Sierra Leone where, during their civil wars, youth joined the rebel military units for excitement, money, loot, sex slaves and bribes (Boas, 2004:212). Other explanations for the failure to end the war include low capacity and training of the Ugandan military; low morale of the Ugandan military; corruption; involvement in regional conflicts (such as DRC, Somalia, Sudan); the Sudan factor (Sudan being a major external factor in the war); and apathy and government's unwillingness to end the war (Branch, 2005:2-3).

Furthermore, military incompetence and corruption, the army's economic interests, the government's political interests, and American and European interests have all converged to create a situation in which this war has been maintained. All the parties with political or economic power have aligned themselves so that the continuation of the war either serves their purposes or at least does them no significant damage (Branch, 2005:3).

The LRA still continues its reign of terror and its motivations for not only continuing, but actually spreading the conflict must be explained now more than ever.<sup>25</sup> In understanding the precise motivations behind the conflict, one may be able to gain some insight as to why negotiations continue to fail and what it will take to end this conflict (Vinci, 2007:337).

### **1.3.12 Prospects for Peaceful Conflict Resolution**

Over the years, a number of peace talks and negotiated settlements have been attempted between the GoU and the LRA. These include the Pece Stadium Accord of 1988, the Addis Ababa Accord of 1990, and a series of peace talks in 1994, all of which failed (Quinn, 2009). Talks held in 2005 under chief negotiator, Betty Bigombe, were also forced to stop. All such efforts undertaken over the years have broken down (Quinn, 2009:59). Further, because Kony and his top commanders have been largely absent from the talks, there is speculation that they have little to do with the talks at all, although it was Kony who led the delegation on rapprochement (Integrated Regional Information Networks [IRIN], 2006a). As many of the LRA peace team members do not live in Uganda, it is debatable whether they even have the influence to negotiate on behalf of the LRA leadership in the bush (BBC, 2007). In the rigidly hierarchical LRA, Joseph Kony is the key to a peace deal, and efforts to engage him must be

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<sup>25</sup> Following their defeat in Northern Uganda, the LRA rebels shifted "the theatre of war" to 'stateless' areas in CAR, DRC, Chad and South Sudan, effectively creating a regional crisis.

enhanced (Cawthorne, 2007). The Ugandan government has long articulated the position that what is needed is a direct deal with Kony (Akec, 2007). When Kony approached the GoU about ending the conflict, President Museveni issued a two-month ultimatum to the LRA ‘to peacefully end terrorism’ or face a combined force of Ugandan and southern Sudanese troops (IRIN, 2006b). A further statement issued by the government indicated that, if Kony were to become serious about a peaceful settlement, the government would guarantee him safety.

Several attempts have been made to end the conflict, either militarily or through dialogue. Military actions, such as Operation North in 1991, and Operation Iron Fist (OIF) I and II in 2002 and 2004 respectively have failed to weaken the LRA significantly (Pham & Vinck, 2010:3). Operation Iron Fist in 2002 was one of GoU’s most severe responses. More than 10,000 Uganda People’s Defence Force (UPDF) soldiers reportedly participated in large-scale raids against the LRA, which resulted in many more displacements and abductions (Somerville, 2007). Yet, the conflict in Northern Uganda remains unresolved (Quinn, 2009:59). Because of these and other previous military failures, stakeholders called upon the conflicting parties to opt for non-military and non-violent measures for ending the conflict. This is when the Juba peace process was initiated. The peace process<sup>26</sup> started in July 2006 and ended in April 2008. It was widely seen by many stakeholders as the best hope for a peaceful and negotiated settlement of the 21-year-old conflict in Northern Uganda. Although this process ended without signatures on the Final Peace Agreement (FPA), it is still credited for the relative peace and calm that has prevailed in Northern Uganda for more than five years now.

Following a cessation of hostilities agreement signed in Juba in August 2006 between the GoU and the LRA to give way for mutually trusted peace talks, there has been relative calm and stability in Northern Uganda. The absence of direct hostilities has provided an opportunity for peaceful resolution of the conflict and also given the conflict-affected population an opportunity to return to their communities to rebuild their lives. Both the state and non-state actors have created an enabling security and political environment to undertake initiatives that will contribute to post-war recovery and long-term reconciliation. Religious

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<sup>26</sup> The talks were based on a 5-point agenda: (1) Cessation of hostilities and the LRA assembly at designated points in Sudan; (2) Comprehensive solutions to the conflict and tackling the root causes of the conflict; (3) Accountability and Reconciliation; (4) a Formal Ceasefire Agreement; and (5) Demobilisation, Disarmament and Reintegration (DDR).

and cultural leaders, and indeed other CSOs, have entered into partnerships with government and development agencies to embark on peace-building initiatives that are expected to transform the lives of the war-affected communities.

As of April 2008, however, it became clear that the LRA rebels had suspended their participation in the peace talks, citing the ICC indictments as the major obstacle. In this connection, scholars such as Pham & Vinck (2010:9) agree that, although the ICC arrest warrants for Joseph Kony and his commanders remain to be executed, the involvement of the court has been controversial. However, supporters of the ICC involvement argue that the court's involvement placed pressure on the LRA to seek a negotiated settlement. Schomerus (2007:39) asserts that a comprehensive peace deal can only be signed if there is a solution to the problem of the ICC arrest warrants – one that satisfies all the parties to the peace talks as well as the ICC.

Following the inconclusive peace talks, which ended without the Final Peace Agreement (FPA) being signed, the LRA rebels established new bases in the DRC. From there, the LRA has dispersed into multiple smaller groups; in the interim, they have brutally murdered at least 1,500 civilians and abducted at least 1,600 people, many of them children (Branch, 2005). LRA violence has often targeted churches, schools and markets, and includes the massacre of over 300 Congolese civilians in an attack in December 2009. Following these attacks, the Ugandan military launched “Operation Lightning Thunder (OLT)”, a military campaign against the LRA rebels in the DRC. This campaign was carried out with logistical and technical support from the US government, and in partnership with armed forces of the DRC, Sudan and the Central African Republic (CAR).

### **1.3.13 International Strategies to address the LRA Conflict**

Following the failure to apprehend the LRA officials indicted by the ICC, several international stakeholders, particularly the GoU and the US government, have put in place measures to prevent the LRA from wrecking more havoc on civilians in the CAR and neighbouring countries. In Uganda, Parliament passed the ICC Act on 9 March 2011 to make provision in Uganda's law for the punishment of the international crimes covered by the Rome Statute, that is, genocide, crimes against humanity and war crimes (Pham & Vinck, 2010:9). On its part, the US government in May 2009 enacted the LRA Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111-172 of 24 May 2010). The



legislation crystallizes the commitment of the US to help end the brutality and destruction that have been a hallmark of the LRA across several countries for two decades, and to pursue a future of greater security and hope for the people of central Africa (United States Government, 2010).

The law aims to protect civilians from the LRA, to apprehend or remove Joseph Kony (the LRA leader) and his top commanders from the battlefield in the continued absence of a negotiated solution, and to disarm and demobilize the remaining LRA fighters. It also requires the US government to develop a comprehensive, multilateral strategy to protect civilians in central Africa from LRA attacks and take steps to stop the rebel group's violence permanently. Furthermore, the law commits the US government to increasing humanitarian assistance to countries currently affected by LRA violence, and to supporting economic recovery and transitional justice efforts in Uganda.

The law also aims to help secure a lasting peace in Uganda by increasing assistance to war-affected communities in Northern Uganda and supporting initiatives to help resolve longstanding divisions between Uganda's North and South (United States Government, 2010). It also seeks to increase funding for transitional justice initiatives and calls on the GoU to reinvigorate its commitment to a transparent and accountable reconstruction process in war-affected areas.

The law reiterates US policy and commitment to work toward a comprehensive and lasting resolution to the conflict in Northern Uganda and other affected areas, including north-eastern DRC, South Sudan, and CAR. This will be done in partnership with regional governments and multilateral efforts. The law commends the GoU for its efforts to stabilize the northern part of the country, for actively supporting transitional and development assistance, and for pursuing reintegration programs for those who surrender and escape from the LRA ranks (United States Government, 2010). Nevertheless, much remains to be done to promote sustainable peace, social reconstruction, and development in Northern Uganda (Pham & Vinck, 2010:7).

#### **1.3.14 Post-conflict Characteristics of Northern Uganda**

To a limited extent, Northern Uganda may be categorised as a post-conflict area. Barakat (2005:10) identifies a number of attributes that characterize post-conflict areas; these include

destruction of physical infrastructure, lack of financial institutions, lack of material and human resources, institutional fragility<sup>27</sup>, destruction of relationships, political volatility and psycho-social trauma. Such a context is further marked by dependence on relief and the absence of security. The GoU has identified several challenges affecting Northern Uganda; these include the re-establishment of public and social services (such as government administrative services, education, judicial services and healthcare) and the establishment or revitalization of essential infrastructure (such as water sources, roads, schools, health centres and administration structures) (GoU, 2007).

In addition, the resettlement of IDPs, the restoration of their livelihoods, the removal of the threat of explosive remnants of war (ERW), healing the physical and psychological wounds of people affected by conflict (especially women and children who were abducted, raped, beaten, and traumatized through forced brutalities) by revamping the economy so that war-affected people can become productive again, and just as importantly, the restoration of law and order, are some of the urgent reconstruction tasks. Other tasks ahead include improving the capacity<sup>28</sup> of state institutions so that they can deliver services, and enhancing the accountability<sup>29</sup> of the state.

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<sup>27</sup> Fragility refers to periods when states or institutions lack the capacity, accountability, or legitimacy to mediate relations between citizen groups and between citizens and the state, making them vulnerable to violence. Research for the Report reinforces the close link between institutional fragility and the risk of conflict (World Bank, 2011:XVI).

<sup>28</sup> Capacity refers to the ability of institutions to carry out their core functions efficiently and effectively. When states lack this capacity, they cannot mitigate stresses that might induce organized violence (World Bank, 2011:XVI).

<sup>29</sup> Accountability refers to the ability of institutions to be responsive to citizens, including abiding by their aggregated preferences, disclosing necessary information, permitting citizen participation in decision-making, and allowing for citizen sanction of public officials on the basis of publicly recognized norms and procedures (World Bank, 2011:XVI).

**Figure 3: Post-Conflict Characteristics of Northern Uganda**

- Poor infrastructure (health, education, roads)
- Erosion of cultural norms and values
- High unemployment rates
- Weak or non-existent state institutions
- High dependence ratio
- High prevalence of STIs, incl. HIV
- Low literacy rates
- High fertility rate
- High crime rate
- Environmental destruction
- High number of orphans and vulnerable children
- High prevalence of psycho-social problems
- Low productivity
- Declining health standards

**Source:** (GoU, 2007)

In order to address the challenges above, the GoU designed the Peace, Recovery and Development Plan for Northern Uganda (PRDP) to support political dialogue, address conflict, and promote growth and prosperity by reversing the declining welfare of the population. In addition, the PRDP is intended to address political, security and development concerns while continuing to mobilise resources to fill gaps in response to the conflict (GoU, 2007:IX).

This research was carried out on respondents from the Acholi people and the following section provides a brief overview of this grouping.

#### **1.4 Section Synopsis**

This section provided an overview of the Ugandan context, the Northern Ugandan conflict, the Juba Peace process and the conflict resolution model that was adopted. The following section will discuss the nature of the specific research problem.

#### **1.5 The Nature of the Research Problem**

This section presents the nature of the research problem; the disciplinary framework of the study; the research topic; research questions; research objectives; assumptions; significance of the study; scope of the study; clarification of key concepts, reflexivity and a brief outline of the research report.

### **1.5.1 Disciplinary Framework of the Study: Social Development**

This study is located within the broader social development domain, which includes the influence of macro level systems on micro level behaviours and adaptive capacities of communities. The theoretical/conceptual framework of this study spans community participation, human needs, conflict resolution, peace processes, the participation of community members in peacemaking processes, indigenous methods of conflict resolution as well as policy frameworks relevant to the protection and promotion of the rights of IDPs and other people affected by violent conflict. While this study may be of significant interest to scholars and practitioners in the field of community development, social policy, and conflict resolution, it lies conceptually in the sphere of social development whilst at the same time incorporating transdisciplinary models and frameworks from the fields of conflict resolution and development.

### **1.5.2 The Research Topic**

This research was aimed at analysing the nature and level of community participation in the conflict resolution process as a strategy for resolving the conflict in Northern Uganda, and to assess whether community participation can lead to sustainable peace. Hence the topic of the study can be summarized as:

**“Sustaining the peace in Northern Uganda: Exploring the potential for community participation in conflict resolution processes”**

### **1.5.3 Main Research Questions**

1. Who were the major participants and actors in the peace process?
2. What are the capacities, potential and opportunities of community members that will allow them to participate meaningfully in conflict resolution processes?
3. What was the nature and level of community participation in the Northern Uganda conflict resolution processes?
4. How appropriate were the mechanisms for engaging conflict-affected communities?
5. What traditional mechanisms are already in use by the conflict-affected communities?

### **1.5.4 Objectives of the Study**

1. To identify the perceptions of communities and KIs about the major participants and actors in the Northern Uganda peace process.

2. To explore the perceptions of communities and KIs regarding their capacities, opportunities and potential to participate meaningfully in conflict resolution, given their capacities and resources.
3. To establish the perceptions of communities and KIs about the nature and level of community participation in the conflict resolution process in Northern Uganda.
4. To investigate the perceptions of communities and KIs about the appropriateness of mechanisms for engaging conflict-affected communities in conflict resolution.
5. To find out the perceptions of communities and KIs about the traditional mechanisms that are already in use by the conflict-affected communities.

### **1.5.5 Central Assumptions of this Study**

Some of the central assumptions that underpin this study are:

1. Peace deals are mostly, if not always, brokered by those in power (elite).
2. There exist opportunities, resources and potential within and among the conflict-affected communities to contribute to efforts for resolving the conflict in Northern Uganda.
3. The mechanisms and channels for engaging conflict-affected communities in the conflict resolution process were inadequate.
4. Conflict-affected communities are seldom effectively involved in the conflict resolution process. The major actors during the Juba peace process did not effectively represent the ordinary conflict-affected communities.
5. The impediments preventing conflict-affected communities from participating in the conflict resolution process could have been due to their own lack of capacity as well as structural, institutional, socio-cultural, logistical, economic and political barriers.
6. The political and security constraints in Northern Uganda hampered conflict-affected communities from applying indigenous approaches to conflict resolution.
7. During peacemaking processes, cognizance is rarely taken of local and traditional mechanisms for conflict resolution.

### **1.5.6 Significance of the Study**

There have not been many studies focusing on community participation. Earlier studies on the conflict in Northern Uganda (Dolan, 2005; Branch, 2005; Vinci, 2007; Oxfam International, 2007) have sought to understand the history and nature of the conflict, why it has eluded resolution for more than two decades now, and what role, if any, the conflict-

affected communities have played in its resolution. Most of these studies, though, have focused on processes of establishing mechanisms for justice for the war-affected population.

The study by Dolan (2005) sought to explain why the war continues, and suggested that while the Government of Uganda (GoU) and the Lord's Resistance Army (LRA) bear the greater responsibility for the situation, international organizations, donor governments, multilateral organizations, academics, churches and Non-Governmental Organisations (NGOs) are also perpetrators and complicit bystanders, largely because of their inadequate actions to resolve the conflict. The Oxfam International study (2007), in contrast, solicited views of IDPs regarding the Juba peace negotiations, and established that the views of the communities directly affected by the conflict were not adequately reflected during the peace process. The study thus sought to give voice to the people of Northern Uganda in order to help identify building blocks to a just and lasting peace. The studies by Vinci (2007) and Branch (2005) emphasised the reasons for failure to end the conflict, and the probable motivations for its continuity.

As a departure from these studies, this present study explored the potential of conflict-affected communities to participate in conflict resolution processes. It addressed issues of structures and mechanisms that were available for engaging these communities in conflict resolution with a view to enhancing prospects for durable and sustainable peace. It did not consider the participation of CSOs or non-governmental organisations (NGOs) in the conflict resolution process, as has been done by other studies in this field, but looked primarily at participation by ordinary citizens.

Although this study was only conducted after the Juba peace process, and therefore could have missed the opportunity to observe community involvement in the process, that peace process marks a turning point in the history of Uganda, and Northern Uganda in particular. It is hoped that the findings of this study will play a role in consolidating the peace prevailing in Northern Uganda, and that it will influence more bottom-up community participatory processes of conflict resolution and peace building. Lastly, it hopes to provide evidence for greater community involvement in peace efforts so that a more sustainable peace can be had. Furthermore, it is hoped that greater recognition will be given to the value of indigenous conflict resolution processes. The findings could be used to influence policy with regards to grassroots decision making processes.

### **1.5.7 Scope of the Study**

The study investigated the potential for community participation in peacemaking and conflict resolution in Northern Uganda as a way of achieving sustainable peace. The study adopted a case study approach, focusing on the Acholi sub-region of Northern Uganda. At the time of the study, this sub-region comprised four districts (administrative units) – Gulu, Kitgum, Pader and Amuru, but during and after the study, three new districts were created; these are: Agago (carved out of Pader), Lamwo (carved out of Kitgum), and Nwoya (carved out of Amuru).

The sample population from the four districts identified included ordinary citizens, many of whom participated in the focus group discussions (FGDs), as well as local leaders, CSO representatives, and cultural and religious leaders, who participated as key informants (KI).

### **1.5.8 Clarification of Key Concepts**

Some key concepts will be clarified and further elaborated where necessary in the conceptual mapping of this study.

- **Elite (those who hold political power and can influence decisions)**

The elite consist of people who are able, through their positions in powerful organizations, to affect national political outcomes. They are a nation's top leadership in all sectors – political, governmental, business, trade union, military, media, religious, and intellectual (Field & Higley, cited in Burton & Higley, 1987:296). In this study, the concept of the elite is used to refer to those within the GoU; the leadership of the LRA and a relatively small dominant group within the Acholi society who have a privileged status. Furthermore this 'elite status' is extended to include local government officials, military personnel, members of parliament, cultural leaders and religious leaders, particularly those who directly participated in the peace process.

- **Conflict**

Conflict can be defined as a social situation in which a minimum of two actors (parties) strive to acquire, at the same moment in time, an available set of indivisible scarce resources as a result of relative deprivations (Wallensteen, 2002:16). Conflict occurs when individuals or groups give high priority to defending their own interests or positions (Carment & James,

2002:205). It also occurs when individuals or groups of people pursue, or are perceived as pursuing, incompatible goals, and when there is a lack of compromise on the negotiable interests of conflicting parties, which are largely embedded in their needs. In this study, the concept of ‘conflict’ is used to refer to the violent armed conflict that led to violence at many levels in Northern Uganda.

#### ▪ **Violence**

Violence can be defined as the act of harming others in the pursuit of one’s own interests (Kent, 1993:381). Kent identifies four categories of violence: physical violence, economic violence, political violence, and cultural violence. He argues that violence is a visible manifestation of covert conflict, and that conflict usually remains under the surface (Kent, 1993:387). Similarly, Galtung (1996) contends that violence is direct, structural or cultural. He contends that direct violence involves direct physical attacks such as massacres, murder and abduction. Galtung (1996) describes structural violence as causing avoidable death through hunger, malnutrition, and lack of life-sustaining drugs in health units. He adds that cultural violence stems from assumptions that keep vulnerable groups of people such as refugees and IDPs ‘invisible’, resulting in further deprivation of their needs.

#### ▪ **Conflict resolution**

Conflict resolution is defined as a multi-disciplinary, analytical, problem-solving approach to conflict that seeks to enable the participants to work collaboratively towards its resolution (Tillett, 1991:1). It is a process of attempting to solve a dispute (or conflict) that involves processes such as mediation, and that aims to create opportunities for meeting the needs of all parties to the conflict. The aim of such a process, then, is to find a win-win outcome as opposed to a win-lose situation. In view of the comprehensive nature of the process, it seeks to address and resolve deep-rooted sources of conflict. In this study, the concept is used to refer to the numerous attempts, by the GoU and CSOs, to end the 21-year old conflict in Northern Uganda. It refers to the entire process, but also to specific efforts to change the hostile attitudes and the hostile violent behaviours of the key actors, and to the strategies for changing the context and structure of the conflict in Northern Uganda.

#### ▪ **Peace**

Munoz (cited in Young, 2010) recognizes peace as a constitutive and indissoluble element of social reality whose origins can be traced to the very beginning of humanity, and whose



evolution can be associated with the history of humanity. Galtung (1996) provides a typology of peace that includes positive peace and negative peace. Kent (1993:378-379) adds that 'peace' is the absence of violence and not the absence of conflict. In other words, although peace in the absolute sense might not be achievable, working towards reduction of violence remains a meaningful objective.

- **Peace process**

A peace process is a political process in which conflicts are resolved by peaceful means. It requires a mixture of politics, diplomacy, changing relationships, negotiation, mediation, and dialogue in both official and unofficial arenas (Saunders, 1999). In this study, the concept is used to refer to all those formal and informal undertakings, between 1986 and 2008, aimed at peacefully ending the Northern Uganda conflict. The concept covers efforts by the GoU, efforts by CSOs, initiatives of religious leaders, attempts by cultural leaders, and most prominently, the Juba peace talks which included the LRA.

- **Community**

A community can be defined as a place in which people live (such as a village or city), or as a population group with similar characteristics (such as rural villagers or older people), or as a concern people share in common (such as religious freedom, status or women) (Doe & Khan, 2004:361-362). It is a unit of society that allows individuals to take initiative and act collectively (Checkoway, 1995). In this study, the concept is used to refer to the diverse and heterogeneous members of the community in Acholi, including government officials, community workers, religious leaders, cultural leaders and ordinary citizens.

- **Community participation**

Community participation refers to the inclusion of a diverse range of stakeholders' contributions in an on-going community development process, from the identification of problem areas to the development, implementation and management of strategic planning (Schafft & Greenwood, 2003:19). In this study, this concept is mainly used with reference to the participation of ordinary community members (mainly IDPs) in the search for peace in Northern Uganda. However, the participation of CSOs, religious leaders in different aspects of the conflict resolution process since 1986 have also been included. Thus, community participation for purposes of this study has been expanded to include both local community members as well as middle range leaders coming from civil society.

- **Internal Displacement and Internally Displaced Persons (IDPs)**

The African Union (AU) defines internal displacement as the involuntary or forced movement, evacuation or relocation of persons or groups of persons within internationally recognized state borders (African Union [AU], 2009:3). The UN defines IDPs as persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of, or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-induced disasters, and who have not crossed an internationally recognized state border (GoU, 2004a:X). The core participants in this study consisted mostly of internally displaced community members.

- **Civil society**

Civil society refers to the sum of institutions, organizations and individuals located between the family, the state and the market in which people associate voluntarily to advance common interests (Anheier & List, 2005:54). These institutions are brought together by shared interests and collective action, plus their desire to contribute to the smooth functioning of society. In this study, this concept is used to refer to non-state institutions that operated in Northern Uganda and contributed to the peace process.

- **Post-traumatic Stress Disorder (PTSD)**

PTSD is an anxiety disorder that can occur after a person experiences a traumatic event, such as combat or similar military experience, sexual or physical abuse or assault, a serious accident, or a natural disaster, such as a fire, tornado, flood, or earthquake. The defining characteristic of a traumatic event is its capacity to provoke fear, helplessness, or horror in response to the threat of injury or death. People who are exposed to such events are at increased risk for PTSD as well as for major depression, panic disorder, generalized anxiety disorder, and substance abuse, as compared with those who have not experienced traumatic events. They may also have somatic symptoms and physical illnesses, particularly hypertension, asthma, and chronic pain syndromes (Yehuda, 2002:108). It can be assumed that most internally displaced persons have experienced some features of PTSD and have coped with their situation in various ways.

The following section sets out the researcher's background and potential impact on this study.

### **1.5.9 Reflexivity**

Reflexivity in research involves reflecting on the way in which research is carried out and understanding how the process of doing research shapes its outcomes (Hardy *et al*, 2001). Reflexivity has much to do with the impact of a researcher's personal characteristics, and social, cultural, historical and situational influences on the research findings, interpretations and conclusions, since qualitative research depends on the personal characteristics of the researcher (Franz *et al*, 2002).

The researcher (Ugandan) worked in a conflict context, including that of Northern Uganda as well as other geographical areas, for more than fifteen years. In part, his experiences with conflict-affected communities, particularly their exclusion and under-representation, are what inspired him to undertake this research. Nonetheless, he tried to balance this 'insider' passionate perspective with a high degree of objectivity during the research process. He is also aware of the fact that the study respondents were victims of more than two decades of violent conflict, hence his awareness of the need to interview participants appropriately and sensitively. Thus, a key consideration was the use of research assistants so that the interview, particularly FGDs, could take place in the language of the participants.

The researcher's academic background in Peace and Conflict Studies was instrumental in guiding his actions, in building appropriate rapport with respondents before interviewing them, and in skilfully using research techniques that upheld beneficence and confidentiality at all costs. The aim was to avoid any harm (Anderson, 1999).

### **1.5.10 Structure of the Research Report**

The thesis is divided into five chapters.

- CHAPTER ONE: Introduction to the Ugandan context and to the research problem.
- CHAPTER TWO: Conceptual mapping of the study.
- CHAPTER THREE: Methodology.
- CHAPTER FOUR: Presentation and discussion of findings.
- CHAPTER FIVE: Summary of key findings, conclusions, recommendations and final comments.

The following chapter presents the conceptual mapping of the study, which is informed by relevant models and theoretical frameworks.

## CHAPTER TWO: CONCEPTUAL MAPPING OF THE STUDY

### 2 Introduction

This chapter presents the theoretical underpinnings of the study by presenting various conceptual models and theoretical frameworks that are relevant to the study. These models and frameworks are mostly drawn from the broad field of social development as well as the field of conflict resolution. Five frameworks/models discussed in this chapter include: ethnic conflict dynamics (Azar, 1990; Fisher, 2001; Aapengnuo, 2010); the human needs framework (Max-Neef, 1991); the capability approach (Sen, 1999); the human security framework (UN, 1994); the pyramid of actors in peace building (Lederach, 1997); and the ladder of citizen participation (Arnstein, 1969) (see **Figure 4:47** & **Figure 10:93** respectively). Furthermore, the issues of exclusion and inclusion of citizens in the context of conflict and internal displacement are also explored in this chapter. A review of the literature linked to this conceptual framework is closely aligned with the study objectives.

**Figure 4: A Conceptual Map of the Study**



**Source:** Barrigye, Interlinking concepts that affect participation

## **2.1 Theoretical Models and Frameworks**

A brief review of ethnicity and ethnic conflict will be undertaken to locate the Northern Uganda conflict discourse into academic and empirical debates regarding whether the conflict was ‘ethnic’ in nature or not, and the challenges of resolving that conflict without applying the ‘ethnic lens’ (Azar, 1990; Fisher, 2001; Aapengnuo, 2010). The exclusion/inclusion model (Gidley, 2010; Allan, 2003; Guilford, 2000) and Lederach’s pyramid (1997) will be discussed in relation to IDPs and their exclusion and possibilities for their inclusion in mainstream community life. This will be followed by a discussion of the fundamental needs of IDPs, which will be explored using the human needs framework as presented by Max-Neef (1991) and other related scholars (Azar, 1990; Maslow, 1954; Miall *et al*, 1999). Thereafter, Sen’s (1999) capability approach will be discussed in an integrated manner with the development paradigm, which will consider the ‘lack of freedoms’<sup>30</sup> experienced by IDPs in Northern Uganda. The human security framework (UN, 1994) will be reflected upon to show how the security debate has gone beyond state security interests and the physical security needs of citizens to cover economic, personal, political, community as well as environmental security – generally reflecting a significant shift of the security discourse to groups and communities. Finally, this review will introduce the concept of the ladder of citizen participation (Arnstein, 1969) to illustrate that, under ideal conditions, community members should have participated in the peace process in accordance with a set of hierarchical levels. This model has been significantly modified by Feingold (1977) and Charles and DeMaio (1993).

### **2.1.1 Peace Building in Post-Conflict Societies**

Peace building is aimed at developing and supporting structures that will assist with the post-conflict reconstruction and development. Peacekeeping usually involves the cessation of violence and the peace is kept or enforced through peacekeeping agents, whilst peacemaking refers to the attempts at reaching a settlement (UN, 1995:46). If successful, peace keeping and peacemaking strengthen the opportunities for post-conflict peace building, which can prevent the recurrence of violence among nations and people. According to Bush (2004), peace building refers to two strategic goals, namely preventing a relapse into war or violence;

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<sup>30</sup> According to Sen (1999), the term ‘*unfreedoms*’ refers to the absence of the basic fundamental freedoms, and that these ‘*unfreedoms*’ manifest in the form of poverty, poor economic opportunities, systematic neglect and other aspects that leave people in poverty and with limited choices.

and creating a self-sustaining peace. Peace building is thus a framework for peace that addresses not only the various forms of physical violence, but also aspects of a society that are structurally violent, and could lead to a re-emergence of conflict.

In order to prevent a relapse into war or violence and to develop a self-sustaining peace, the concept 'post-conflict peace-building' was coined. The concept became popular in the mid-1990s following the release of the UN Secretary General's report, *Agenda for Peace*, in 1992. However, more than two decades later, this notion of peace-building whilst vigorously advocated by the UN has also had much criticism levelled at it. In part, peace building is criticised for being 'elitist' and relying far too much on international agencies and expatriates, and doing little by way of tapping into the peace building potential of local and national institutions and structures (Mac Ginty, 2008). The conceptualisation and practice of peace building, particularly in transitional and post-conflict societies, has been driven by the dominant liberal peace agenda. In other words, the expectation is that after the war, the affected country needs to embrace democracy partly through holding regular, free and fair elections, need to promote, protect and observe human rights and, ensure that governance is based on the rule of law, upholding justice for all and facilitating market-oriented growth (Paris, 2010). Whilst some aspects of this liberal peace agenda may be appealing, not all countries want to buy into a purely market driven economy but are often forced to do so by liberal funding agendas.

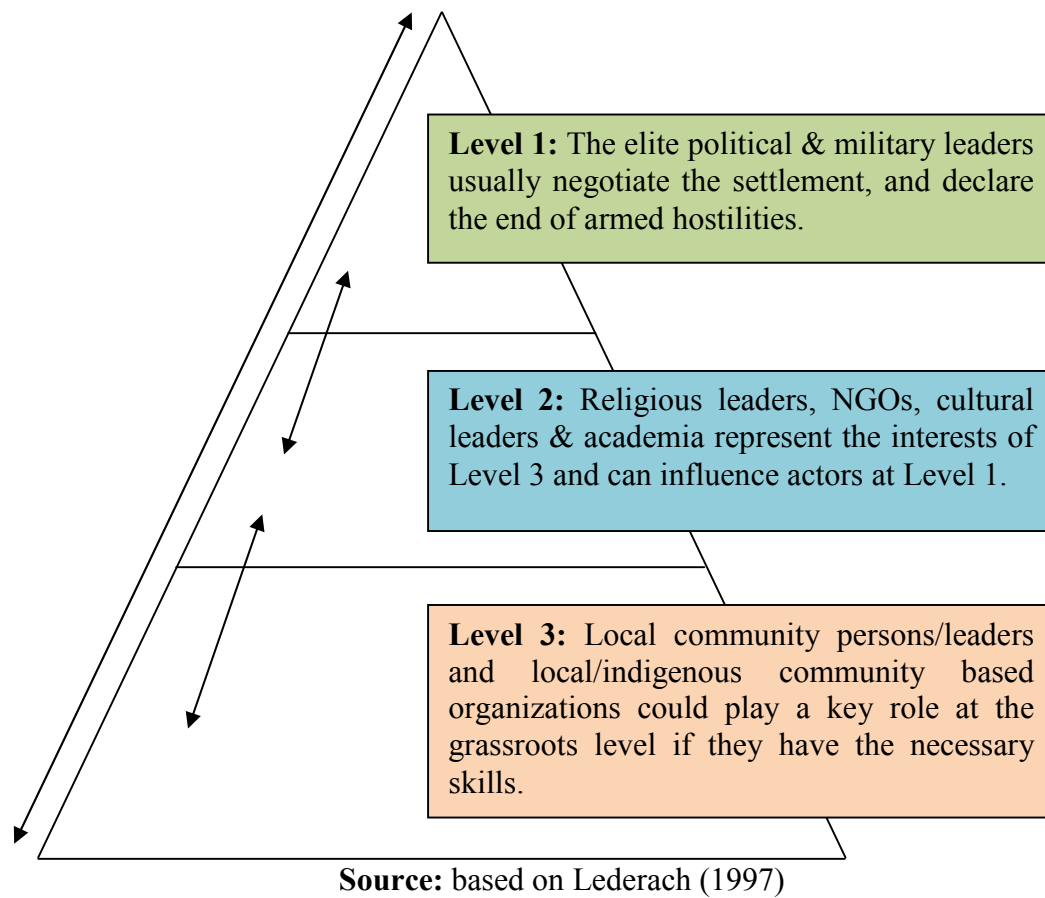
Those in favour argue that despite some of the critique, peace building has done more good than harm. Furthermore, those opposed to the exclusive use of conventional peace building approaches argue that those hosting peacekeeping missions may inadvertently subjugate a country's peace building activities to be in line with their agendas (Paris, 2010:338). Due to some of the negative outcomes on local communities and institutions, some peace building initiatives have been viewed as new forms of imperialism or colonialism (Mac Ginty and Chandler, cited in Paris, 2010:348). According to Bush (2004), the problem with 'peace building' is that almost any intervention (whether in the field of development, humanitarian aid, human rights, access to justice, deepening democracy or institutional capacity building) can be described as 'peace building'. Therefore, it may not always be clear as to how one could meaningfully integrate indigenous methods of conflict resolution as well as indigenous peace-building approaches together with 'modern' forms of justice/conflict settlement and/or peace building which may ideologically and culturally be diametrically opposed.

Nonetheless, several scholars (Francis, 2012; Cooper *et al*, 2011; Paris, 2010; Mac Ginty, 2008; Chandler, 2006) agree that there can never be one single approach to peace building. In fact, they contend that there is need to blend traditional and conventional methods of peace building in order for peace to be owned and sustained by the communities and countries recovering from conflict. There is need for greater ownership of the peace building process by the communities affected by conflict. According to Paris (2010:343), there is also need for less intrusion by external actors so that the vast local peacemaking /peace building potential and resources of the communities that are directly affected may be maximised. The merger of traditional and modern peace building approaches would bring together multiple actors to play complementary roles through a multi-level partnership advocated by Lederach (1997).

Lederach's pyramid of actors and approaches to peace building (1997) helps to illustrate the roles that different actors could have in a peace process, and shows the position of grassroots citizenry in such processes. The pyramid of actors and approaches to peace building (Lederach, 1997) posits that, in the peacemaking process, there are usually three levels of actors: at the grassroots level, at the middle level and at the top level. Those at the grassroots level are community members/ordinary citizens while those at the middle level are usually middle-range actors such as religious/cultural/academic as well as NGO leaders who could link the community to the top-level actors. At the apex of the pyramid are top-level actors, typically military and political leaders, who usually represent the main protagonists, normally rebels and governments (Lederach, 1997:45).



**Figure 5: The Pyramid of Actors and Approaches to Peace Building**



Drawing on Lederach's (1997) pyramid, it is clear that the focus of this study is at level 3. This research is concerned with whether or not community members in fact participated in the Juba peace process. Using the case study of Northern Uganda, the study recognised that community participation would only be possible if there were defined channels of communication and mechanisms that facilitated participation at the various levels. This is dependent on the nature and level of politics at play in a given community. Because most of the community members in Northern Uganda were internally displaced for more than two decades, they were vulnerable and disempowered by the conflict. Also, many of them were traumatized, disempowered and were unable to meet most of life's basic needs. Nonetheless, it is possible that their first hand experiences could have provided invaluable insights for the peace process. At the same time, some community members may have considered such participation to be life threatening and dangerous to their livelihoods.

In Northern Uganda, over 95% of the local population was internally displaced for most of the two decades of conflict. Although 98% of them have returned to their communities of origin, it is possible that many are struggling with the re-building of their homes, villages or dealing with trauma and the effects of long term exclusion/marginalization. Their situation in IDP camps further constrained their ‘freedoms’ as well as impacting negatively on a whole range of capabilities (Sen, 1990). Furthermore, their basic needs and other human security needs are still inadequately provided for.

However, the rich reserve of indigenous conflict resolution practices embedded in these communities, together with some efforts by CSOs at capacity building, could have made it possible for greater community level participation in the peace process as well as at other levels. Using the peace building model proposed by Lederach (1997) together with the ladder of participation’ (Arnstein, 1969), the author believes that these community members could have made a difference in the peace process leading to more sustainable outcomes. Positive outcomes have been experienced in other countries, particularly among women and youth groups affected by conflict, most notably in Burundi, Rwanda, South Africa, Northern Ireland, Palestine and Mozambique (Van Tongeren, 2005).

### **2.1.2 Ethnicity and Ethnic Conflict**

An ethnic conflict is an armed conflict between ethnic groups, and is caused mainly by secessionist tendencies, usually leading to the breakup of multi-ethnic communities or states being ruled or divided along ethnic lines (Fisher, 2001). Examples of ethnic conflicts include the Yugoslav wars, the first Chechen war, the Nagorno-Karabakh war, the Rwanda civil war, and the war in Darfur. Prominent scholars such as Azar (1990) and Fisher (2001) suggest that ethnic conflicts often lead to what has been termed “protracted social conflict”. Azar (1990) argues that communal groups may experience deep-seated cleavages based upon racial, religious, cultural or ethnic lines, with their main characteristic being continued hostility and sporadic outbreaks of violence. Azar (1990) adds that ethnic conflict is caused by the frustration of human needs for security, recognition, and distributive justice.

Further, ethnic and identity-driven conflicts are the result of an underlying fear of extinction that is often a result of real or perceived vulnerability by particular ethnic groups who may have previously experienced persecution or discrimination, or perceived threats from the

domination of state machinery by a single ethnic group which denies other groups access to opportunities and services that satisfy their basic human needs (Azar, 1990; Fisher, 2001).

Particularly in Africa, an ethnic group is the predominant means of social identity formation. Most ethnic groups in Africa coexist peacefully with high degrees of mixing through interethnic marriage, economic partnerships, and shared values (Aapengnuo, 2010). Nevertheless, there is a general perception that Africa is trapped in a never-ending cycle of ethnic conflict, and that it is this ethnicity that is responsible for the pervasive violent conflicts on the continent. Using examples of the Rwandan genocide, Darfur, northern Nigeria, Cote d'Ivoire, and the violent aftermath of the controversial Kenyan elections, among other cases, analysts seem to substantiate the perception that actually African conflicts are largely ethnic-based.

Many countries in sub-Saharan Africa, including Sierra-Leone, Ivory Coast, Liberia and the Democratic Republic of Congo have suffered major and extensive conflicts, many of which have been mostly between ethnic groups. However, because these conflicts have been between ethnic groups does not mean that they have been 'ethnic' in nature. According to Burton (1990), most ethnic conflicts in Africa are a result of ineffective state institutions that are unable to satisfy the human needs of their citizens, and not the aggressive nature of human beings as claimed. As such, the conflict in Northern Uganda may be described as one of those ethnic conflicts. Like in many multi-ethnic countries in African, there has been a tendency to violently compete for power, property, rights, jobs, education, development, investments and social services, hence there is a linkage between economic factors and ethnic conflict.

Marginalisation and income disparities based on ethnicity can be viewed as a major cause of conflict (Brown, 1996). For example, in Uganda poverty statistics may seem to show some degree of marginalisation. Because the region was affected by conflict for more than two decades, poverty levels are inevitably the highest in the country; they stood at 46% in 2010. This is compared to 24%, 22% and 11% for Eastern, Western and Central Uganda respectively (GoU, 2012a). From the statistics, it would appear that the north-south divide which works against Northern Uganda is responsible for this imbalance. As a result, the conflict has become increasingly defined in terms of ethnicity, and ethnicity has gained widespread social and political significance.

However, ethnicity in itself is typically not the driving force behind African conflicts but a lever used by political leaders to mobilize supporters in pursuit of power, wealth, and resources (Aapengnuo, 2010:1). In Rwanda, political manipulation of resource conflicts led to the well-orchestrated 1994 genocide. Politicians, demagogues, and the media used ethnicity as a play for popular support and as a means of eliminating political opponents (both Tutsis and moderate Hutus), but this should not be understood to mean that the genocide was about ethnicity (Aapengnuo, 2010:2). Often it is the politicization of ethnicity and not ethnicity per se that stokes the attitudes of perceived injustice, lack of recognition, and exclusion that are the source of conflict. The misdiagnosis of African conflicts as ethnic ignores the political nature of the issues of contention. People do not kill each other because of ethnic differences; they kill each other when these differences are promoted as the barrier to advancement and opportunity (Aapengnuo, 2010:2).

Therefore, recognizing that ethnicity is a tool and not the driver of intergroup conflict should refocus our conflict mitigation efforts to the political triggers of conflict (Aapengnuo, 2010:1). In the case of Kenya, ethnicity became an issue in the country's elections in December 2007 because of a political power struggle that found it useful to fan passions to mobilize support.

### **2.1.3 Peace Building from Below**

The concept of 'peace building from below' is closely associated with Lederach (1997). It is a relatively new approach to peace building and conflict transformation that is based on the notion that the conventional conflict resolution approaches that did not include all sectors of society were doomed to failure. The major argument of this approach is that, for peacemaking processes to be effective and sustainable, they must be based on the empowerment of communities torn apart by war (Ramsbotham *et al*, 2005:215). However, this approach cannot be seen in isolation from the broader processes since global forces also have an impact on local communities (Ramsbotham *et al*, 2005:216).

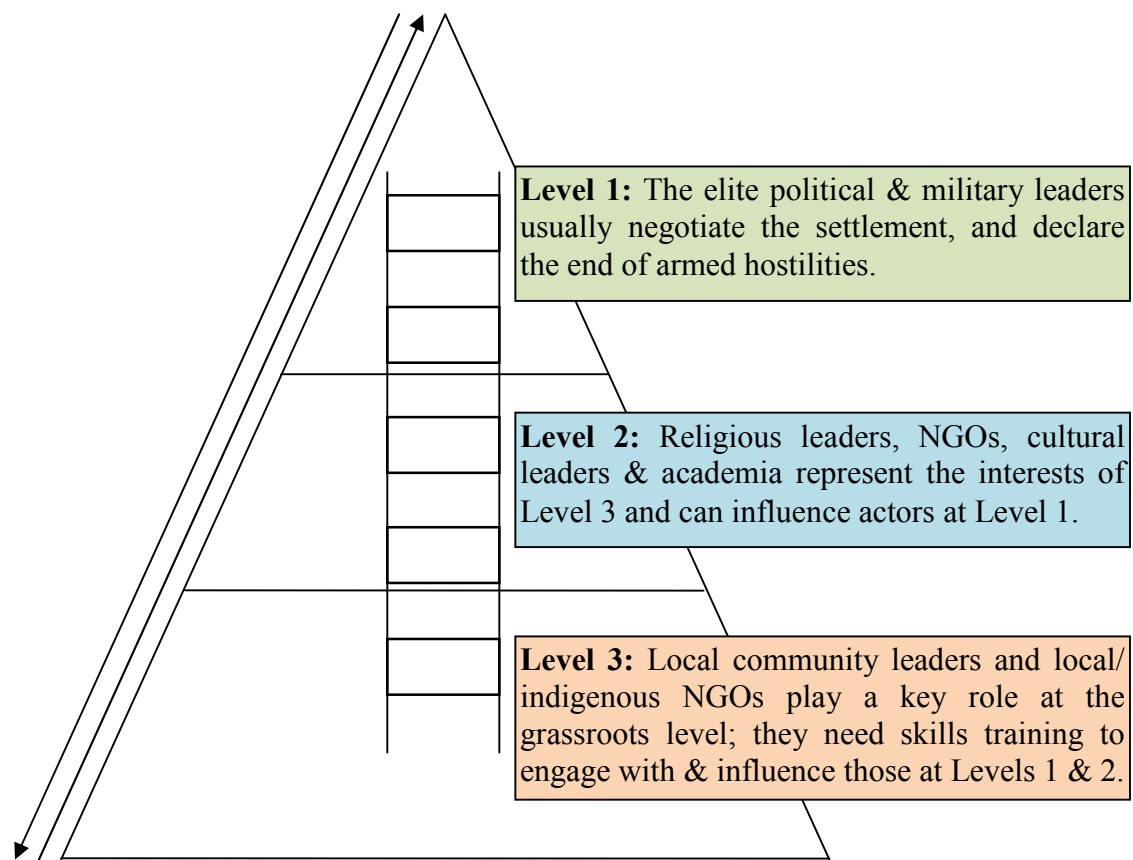
With regard to the need for community participation in peace building, it is important to emphasise that the level and degree of community involvement is still negligible. One of the reasons for this is that the grassroots capabilities have not been expanded for various reasons. The quality and frequency of engagement between ordinary community members and the

elite in matters that directly affect their livelihoods still leaves much to be desired. Thus, in order to have an engaged participating citizenry, structures and training needs to be in place otherwise community voices will not be heard in the ‘corridors of power’ nor will they be heard around the negotiating table.

It has been argued that the participation by civil society organisations (CSOs) in peace building should be seen as one way of involving communities. In Northern Uganda, Acholi religious Leaders’ Peace Initiative (ARLPI) carried out consensus building activities, training and dialogue, advocating for specific policies such as the Amnesty Law, and mediating or supporting negotiations, and it was also generally seen as representing the voices of the community members (Otim, 2009). Another CSO, Kacoke Madit, undertook local, national and international advocacy and raised awareness about the Northern Uganda conflict through meetings of the Ugandan community, GoU officials, government of Sudan, LRA rebels, the Acholi in the Diaspora, representatives of the international community (Oywa, 2002). However, the extent to which these and other CSOs legitimately represented the voice of the community is not known. It is possible that some CSOs may be driven by their own agendas and may have aspirations that run contrary to those of ordinary community members.

Accordingly, the shift in thinking should move the emphasis in conflict resolution work from an outsider-neutral approach towards a partnership with local actors, which is one of the key characteristics of peace building from below (Ramsbotham *et al*, 2005:217). This argument seems congruent with O’Brien’s (2005:120) assertion that, although peacemaking usually refers to the top-level negotiations that end in a political agreement, there is increasing appreciation for community level peace initiatives that can feed into top-level discussions. Culturally sensitive, participatory peacemaking which is people-centred and people-driven should enable people to determine their own solutions to conflicts (O’Brien, 2005:126). This would, in Lederach’s (1997) words, help to build a peace constituency within the conflict setting itself.

**Figure 6: A Proposed Model for Community Participation in Conflict Resolution**



**Source:** Based on Arnstein (1969) and Lederach (1997)

**Figure 6:56** is a proposed model for community participation in conflict resolution processes. It is a merger of Arnstein's ladder of citizens' participation (1969) and Lederach's pyramid of actors (1997). The model seeks to combine the strengths of the two models to promote a better understand of the processes and dynamics at play across these various 'Tracks' but also how community members can be enabled to participate through a progressive process of engagement. By collaborating with key stakeholders at level 2, while directly engaging with the elite, and usually representatives of key parties to the conflict at level 1, the ordinary community members have the potential to substantially influence the decisions of the officials who enter into formal peace agreements. By engaging directly or indirectly with the community, the elite negotiators would have the opportunity to address issues of critical concern to the citizens and to ensure their timely inclusion onto the agenda. This model has the potential for harnessing the peacemaking resources available at all levels

of the community (see **Figure 7:80** for a detailed discussion of the ladder of citizen participation).

Using the model leads to a more effective merger of levels 1, 2 and 3, or what is commonly referred to as Track 1, 2 and 3 of the peacemaking processes, thereby increasing the chances of securing durable peace. During the Juba peace process, the input from ordinary citizens was not adequately utilised, and not everyone in Northern Uganda felt that they had been included in the peace process. In fact, it appears that some had been deliberately excluded for political or socio-economic reasons.

#### **2.1.4 The Social Exclusion and Inclusion Model**

Guildford (2000:1) defines social inclusion as the state of being accepted and participating fully within our families, our communities, and our society. Gidley *et al* (2010:7) argue that social inclusion should be understood as including access, participation, engagement and empowerment. Social inclusion interventions are associated with economic benefits, social justice, empowerment, transformation and development (Gidley *et al*, 2010:13). However, it should also be noted that social inclusion is a particularly complex notion, characterised by a lack of shared understanding about what it means to be socially included and about the necessary conditions to achieve social inclusion (Allan, 2003:622).

Social inclusion is a contested term both in the academic and policy literature with a diversity of definitions available; the term appears poised to replace terms such as *access* and *equity*. Social inclusion can be traced back at least to Max Weber in the 19<sup>th</sup> century, while its counterpart term, social exclusion, emerged in France with an emphasis on the importance of social cohesion to society (Gidley *et al*, 2010:6). The social inclusion and exclusion discourse is mainly related to issues of inequality in society and the disadvantaged groups therein, including the homeless, the jobless, people with disability, the economically marginalised, and those discriminated against based on gender considerations. In fact, the concept of social exclusion denotes a perception of certain individuals who are pushed to the extreme edge of society and who are prevented from participating fully in society partly due to poverty, lack of skills and opportunities, or as a result of discrimination.

According to Commins (2004:68), social exclusion is a dynamic process of being shut out, whether partially or fully, from any of all several systems, which influence the economic and

social integration of people into their society; he further argues that it can be a cause as well as a consequence of income poverty and material deprivation. Social exclusion is also underpinned by injustice and the absence of equity in that there is no fair process and no due outcomes in the distribution of political power, resources, opportunities, and sanctions (World Bank, 2011:XVI). Social exclusion involves the process of persistent disadvantage in terms of which the social and occupational rights of persons are being undermined. It encompasses not only a lack of access to goods and services, thus exacerbating poverty and preventing the satisfaction of basic needs, but also encompasses, among others, lack of security, lack of justice, and lack of participation and representation (Kurian & Bedi, 2004).

According to Sen (2000:12), social exclusion can be a deprivation in itself. For example, not being able to relate to others and to take part in the life of the community can directly impoverish a person's life. In the social exclusion and inclusion debate, there is a visible relationship between economic deprivation and poverty, which have social and political implications. In the case of Uganda the IDPs, there seems to be some form of discrimination, intended or unintended, against disadvantaged groups, effectively driving them into further deprivation and marginality. Marginality in this study is used to refer to economic, cultural, legal, political, and social inequality and exclusion, a state of 'being underprivileged and excluded' in terms of access to physical security, social, economic, and legal needs as well as education vis-à-vis the majority (Grabska, 2005:10).

But who are the excluded, and why are they excluded? According to Labonte (2004:117), people are excluded from accessing socio-economic benefits largely because they are poor. But people are poor because they lack these benefits. They lack these benefits because capital and state structures allow wealth to accumulate unequally, and because powerful 'others' are able to benefit directly and immediately from this. People are also excluded from these benefits because they are women. And yet, for the past two centuries, women have been cast economically as a source of cheap and surplus wage labour, and of free reproductive labour. Powerful 'others' thus benefit directly and immediately from women's relative exclusion from economic and social benefits.

#### ▪ **Causes and manifestations of exclusion among IDPs**

Regarding IDPs, Michael Carnea (cited in IDMC & NRC, 2012:4) identifies nine risks or processes that cause impoverishment among IDPs; they include: landlessness, joblessness,



homelessness, marginalization, food insecurity, increased morbidity and mortality, loss of access to common property and social services, social disarticulation, and the loss of education opportunities. Social exclusion of IDPs can also lead to impoverishment<sup>31</sup> of individuals, families and communities. IDPs often lose land, property, livelihoods and access to health and education services; hosts of IDPs too may exhaust their resources in coping with the new arrivals, especially in Africa where most IDPs stay with relatives or in host communities (Michael Carnea, cited in IDMC & NRC, 2012:4).

In Northern Uganda, exclusion has manifested in the form of IDPs not sharing the same opportunities as the majority of Ugandans, not having adequate income, suffering from financial poverty and material deprivation, not effectively participating in the labour market (partly because of a lack of skills), not receiving sufficient or good quality social services and other benefits of a welfare state (such as safe water, education and health care), not enjoying good social relations within and outside their communities, and not being able to enjoy fully their fundamental human rights, as enshrined in the Constitution of Uganda and the numerous international human rights instruments. In fact, at the start of the IDP resettlement, there were concerns that IDPs were returning to a life of disadvantage and would be without adequate services (Land and Equity Movement in Uganda [LEMU], 2007:2). In Northern Uganda, this exclusion appears to be at individual, community and institutional level. In this study, exclusion relates to the failure of formal institutions to integrate and provide for the needs of IDPs. The people of Northern Uganda have disproportionately endured most of the suffering caused by the conflict. Displacement, abduction, mutilation, and despair are a reality for the more than 70% of Ugandans that live in the north. Yet their voices have been largely eclipsed in the fray (Quinn, 2009:62).

During the Juba peace process, ordinary citizens were excluded from the major stages of the peacemaking process with the emphasis being placed on national and international elite actors. Ordinary citizens were not placed at the centre of the analysis of the conflict; instead, they were treated as passive bystanders or victims (Mkandawire, cited in Branch, 2005:2). In this regard, Nordstrom (1997:92) argues that global politics has handed down a legacy of

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<sup>31</sup> Impoverishment is understood as the loss of natural capital, human-made physical capital, human capital and social capital (Michael Carnea, cited in Internal Displacement Monitoring Centre & Norwegian Refugee Council, 2012:4).

relegating conflict resolution to the realm of politico-military leaders and to the offices of specialists, as well as to the elite who are far removed from the epicentres and the impact of bloodletting, disregarding the fact that peace is ultimately forged on the ground – by individuals and in communities.

During and immediately after the conflict, IDPs were excluded from enjoying the benefits that they were entitled to as citizens of Uganda. They lacked access to health care and education, and were unable to claim their entitlements, which made them unable to lead decent and dignified lives. Regional imbalances occurred, and the population was unable to engage in activities that would enable them progress towards achieving the MDGs (UNDP, 2007a). Moreover, they lost control over their property and livelihood assets, many of which had been lost during the insurgency; this effectively denied them the ability to fulfil their own needs. It should be noted, however, that many of the IDPs were poor even before being displaced.

In Uganda, and Northern Uganda in particular, the entire community of IDPs, more specifically women, widows, single mothers, orphans, the aged, people with disabilities, the poor and the sick, children and youth are among the most excluded people. Additionally, a significant number of the female returnees<sup>32</sup> return to their communities with children, yet they are unable to go back to school or join any vocation teaching centre because they have to take care of such children (Maina, 2009b:121). It appears that the groups above are excluded because of various socio-economic and political processes and structures at local and higher levels. In this regard, then, it might be prudent in the short term to focus on the conditions of people who are excluded, but for the long term, focus should be placed on dealing with the socio-economic and political power structures that create the conditions for exclusion. Even as people begin to venture back to their villages in Northern Uganda, conflicts have already begun to erupt over land whose boundaries have been blurred by long displacement, disfigured by war, and rendered uncertain by ambiguous laws (Quinn, 2009:57).

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<sup>32</sup> *Returnee* is the term used by the international community to identify a person who was a refugee, but who has recently returned to his/her country of origin. This term is increasingly applied to IDPs (who, according to the strict definition, never left their country of origin). Defining a returnee is thus applicable on a person's prior refugee or IDP status.

Similarly, the exclusion of IDPs from political participation can reinforce feelings of marginalization and make it even more difficult for a government to claim legitimacy. Ensuring that IDPs are able to participate in the political process can be a tangible expression of a commitment to adopt policies of inclusiveness that strive to be responsive to the needs of marginalised and victimized parts of the population (Kalin, 2007:2).

Excluded IDPs seem to share some universal characteristics. For example, in the context of the former Yugoslavia, Cvejic & Babovic (2010:10-12) state that Serbian IDPs lack access to documentation; they, particularly women, are excluded from the labour market and are confined to undesirable unskilled jobs in the informal sector; they are excluded from education; they are excluded from healthcare; they are excluded from housing, and they are further exposed to poverty and material deprivation. It is evident that IDPs face serious economic, psychological and social obstacles. Another important feature of their social and economic position is that many of them face multidimensional exclusion.

#### ▪ **Unemployment among IDPs**

Although global unemployment stands at 200 million people, including 75 million youth under the age of 25, the socio-economic status of IDPs is a matter of high importance for survival and prosperity (World Bank, 2013:xiii). They need income to realise their goals, including providing for the needs of their families. In order to realise this, they need some form of gainful employment, which is not available for most of the IDPs. In fact, the World Bank (2013:xiii) argues that jobs are instrumental to achieving economic and social development, and that employment is important for social cohesion. Conflict can fundamentally disrupt jobs by destroying or damaging infrastructure and access to markets, as well as through altering incentives. In Sri Lanka, for example, conflict in the northern part of the country disrupted economic activity and created favourable conditions for the insurgency to recruit among the newly unemployed (Checko, 2007). This kind of situation is clearly not desirable given the volatility of the context in Uganda.

The high rates of illiteracy among IDPs, combined with their lack of skills, will undermine the IDPs' competitiveness in the global labour market, and in most cases, there has been no affirmative action to compensate for their circumstances. In fact, jobs are among the most pressing issues in countries in conflict or emerging from it (Adams, 2011). Jobs are critical for restoring the livelihoods of individuals and families affected by war and violence,

reintegrating ex-combatants, and rebuilding everybody's sense of belonging in society. They are also key to jump-starting economic activity, reconnecting people, and reconstructing networks and the social fabric. Alongside security and justice, jobs are central to breaking cycles of violence, restoring confidence in institutions, and giving people a stake in society (Ozden & Schiff, 2006).

▪ **Unemployment and exclusion: the long-term consequences**

As a result of widespread unemployment, the unskilled and unemployed adults, as well as the unskilled and unemployed youth and children, are likely to create a long-term development crisis for Northern Uganda. Ultimately, this may even precipitate a recurrence of the conflict, since an uneducated and unskilled young population is more prone to engage in violence and conflict (Elbadawi & Sambanis, 2000). In particular, young ex-combatants face exclusion partly because society views them as war victims who are irreparably damaged, and as a lost generation that has been rejected by their families and communities for the heinous acts they have committed; this image is equally promoted by the media and advocacy agencies (BBC, 2007). Further, it has been proposed that young ex-combatants face exclusion because of the fact that many still carry symptoms of PTSD and depression years after their reintegration. Promoters of this belief forget that the majority of young soldiers are actually able to adjust when they return from combat, and that many of them become integrated civilians and function at par with others in their community, both socially and economically (Betancourt *et al*, 2008; Humphreys & Weinstein, 2006; Williamson, 2006).

▪ **Suggestions for social inclusion of IDPs**

In the case of Northern Uganda, social inclusion interventions would entail some of the following: economic empowerment of IDPs; improved access to quality education; improved access to quality health care services; community empowerment through vocational skills development; increased involvement of IDPs in governance and decision making; improvement in recreation and sports initiatives, particularly for youth and children; initiation of social action programmes that improve the social dynamics of communities affected by conflict; community participation through giving them a voice; accountability and public dialogues; and enactment of an appropriate legal and policy framework that deals with issues of justice and social inclusion. In Serbia, Cvejic & Babovic (2010:4) found that, ten years after the end of displacement, IDPs remain excluded, and thus, there is clearly a need for

carefully tailored measures and policies and an active network of institutions in order to support IDPs and make them active members of society.

Further, learning from this situation, it is proposed that the first response to address the exclusion of IDPs would be to address their weak economic position, which negatively influences their social inclusion (Cvejic & Babovic, 2010:20). Also, the role of the local administration in improving social inclusion of IDPs is very important since local circumstances differ significantly in different localities. The design of support networks should be influenced by the knowledge of the local administration and the capacities of the IDPs themselves (Cvejic & Babovic, 2010:21).

It should be noted, however, that it remains a daunting task to promote the inclusion of marginalised people and groups into systems that have systematically excluded them, either deliberately or by omission for a long time. The results of this deliberate process have affected the fundamental human needs of people in various ways, and these need to be borne in mind.

### **2.1.5 The Human Needs Framework**

The human needs framework is associated with a number of scholars, most notably Azar (1990), Maslow (1954), Max-Neef (1991), and Miall *et al* (1999). Scholars of human needs argue that all human actions and social interactions are driven by human needs. Some of these scholars, particularly Burton & Dukes (1990b), assert that no consensus exists at present regarding the definition of human needs.

Nonetheless, Rosati *et al* (cited in Burton & Dukes, 1990b:163) suggest that the term can be used to mean the minimum set of universal needs common to all individuals everywhere. It should be noted, however, that human needs are better understood as culturally relative, varying across diverse cultural contexts. Human needs are dynamic and variable (Rosati *et al*, cited in Burton & Dukes, 1990b:163-164). The introduction of the human dimension into the study of conflict resolution makes a fundamental difference both to explanation and to process (Burton & Dukes, 1990a:85).

Human needs are a key motivational force behind human behaviour and social interaction. According to this perspective, there exist specific and relatively enduring human needs,

which individuals will inevitably strive to satisfy, even at the cost of personal disorientation and social disruption. The theory states that people may resort to violence when deep-rooted human needs have been frustrated (Miall *et al*, 1999:45-48). For example, when faced with a severe shortage of water or food, people who are normally peaceful may resort to violence. Just as there are biological needs that must be satisfied in order to survive, there are also non-material, psycho-social needs, such as dignity, acceptance, justice, identity and security. According to Miall *et al* (1999), when these needs are frustrated through, for example, a political system that is oppressive and discriminative, fertile ground for violence is created. There is empirical support for this assumption, which demonstrates clearly that individuals have these fundamental human needs (Azar, cited in Burton & Dukes, 1990b:156).

Human needs theorists such as Maslow (1954) and Rosati *et al* (1990) locate the foundation of politics, including global politics, in the interactions of individuals and groups that are striving to satisfy their needs in the social contexts that surround them. According to Rosati *et al* (cited in Burton & Dukes, 1990b:156), the human needs perspective postulates that human needs are a fundamental underlying source of political and social interaction in world society. To this end, there is an emerging argument that links conflict with human needs. Azar (cited in Burton & Dukes, 1990b:146) hypothesizes that the source of protracted social conflict (PSC)<sup>33</sup> is the denial of those needs required in the development of all people and societies – security, identity, social recognition of identity and effective participation. In fact, Rosati *et al* (cited in Burton & Dukes, 1990b:157) postulate that human needs deprivation has an impact on the long-term legitimacy and stability of political and social systems. They argue that, given the existence of human needs, social systems must be responsive to individual needs, if they are to maintain their legitimacy and survive intact in the long term. Rosati *et al* (cited in Burton & Dukes, 1990b:162) further assert that societies that fail to meet the needs of their members eventually become unstable over time. Further, Burton & Dukes (1990a:85) argue that human needs must be satisfied if law and order is to be sustained and if societies are to be stable and not violent. Thus Rosati *et al* (cited in Burton & Dukes, 1990b:160)

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<sup>33</sup> Protracted social conflict is a technical term used to describe conflicts that are protracted or intractable, i.e. complex, severe, commonly enduring, and often violent. When a group's identity is threatened or frustrated, intractable conflict is almost inevitable. Protracted conflicts denote hostile interactions between communal groups that are based in deep-seated racial, ethnic, religious and cultural hatreds, and that persist over long periods of time with sporadic outbreaks of violence (Azar, 1990).

contend that it is imperative to examine human needs, both at an individual level and also at larger social aggregates, including political groups and organizations as well as states.

According to Rosati *et al* (cited in Burton & Dukes, 1990b:174-175), the primary source of human motivation stems from satisfying some basic human needs. The human needs perspective proposes that behaviour is a function of the level to which human needs are satisfied and the relative priority placed on those needs. Maslow (1954) argues that human needs are hierarchical and that they are pursued in an ascending order, starting with the most basic ones (the physiological needs), safety, love or belonging, esteem and ending with self-actualization. However, it should be noted that needs hierarchies, such as those proposed by Maslow(1954), are not a crucial element of all human needs approaches (Rosati, Carroll & Coate, cited in Burton & Dukes, 1990b:166). Other scholars (Clarke, 1993; Hofstede, 1993; Max-Neef, 1991) further criticize Maslow's hierarchy of needs for being merely a linear ranking typology, and, moreover, one that is simplistic, ethnocentric, and individualistic.

Max-Neef's (1991) human needs theory identifies ten key needs<sup>34</sup> that are simultaneously present, and that are based on a holistic and dynamic system that is non-hierarchical. Max-Neef (1991) contends that needs are consistent and universal across cultures and throughout history. However, he also notes that it is the needs satisfiers, such as being, having, doing and interacting that vary according to the cultural and sub-cultural context and according to historical period.

Nonetheless, there is already sufficient empirical evidence to allow one to conclude that individuals have human needs, which motivate and affect their behaviour (Rosati *et al*, cited in Burton & Dukes, 1990b:172). Further, it is the values, interests and desires, more so than needs, that are closely tied to socialization and to the political, social, economic and cultural environment (Rosati *et al*, cited in Burton & Dukes, 1990b:168). Hence, it is quite understandable that people would want to be part of conflict resolution processes, since they would want to make sure that their interests, values, access to resources, and so forth are being considered; in the case of IDPs in Uganda, this is crucial too.

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<sup>34</sup> These ten key needs are: understanding, identity, freedom, affection, transcendence, participation, leisure, creation, protection and subsistence.

As a result, there is an inherent connection between the fulfilment of human needs, the stability of social structures and political dynamics. To this end, Rosati *et al* (cited in Burton & Dukes, 1990b:177) argue that the pursuit of human needs does not automatically imply that they will be fulfilled, but that individuals will continue to strive to fulfil them. It is, thus, the conflict between individuals in a group and social context who are attempting to fulfil human needs in social structures that results in the dynamic interplay of politics.

A number of limitations regarding the human needs theory have been identified. For example, Rosati *et al* (cited in Burton & Dukes, 1990b:158-159) contend that the theory is overly simplistic and idealistic. Further, the difficulty of proving empirically the existence of human needs, and the link between these and actual individual behaviour and social relations, is of concern.

In addition, Rosati *et al* (cited in Burton & Dukes, 1990b:165) further raise a number of critical questions concerning the precise nature of human needs and whether there is a hierarchy or priority of human needs; how human needs differ from (and how they are related to) interests, values, and desires; and how other factors, such as ideologies, intervene between needs, interests, values and behaviour. Despite the difficulties with a human needs approach, it is normally accepted that people have needs that they seek to fulfil. In this regard, it would appear that the fundamental human needs of the population in Northern Uganda have not been adequately provided for, over a long period of time, which seems to have been the motivation behind the two decade conflict. Accordingly, the population in Northern Uganda and indeed the LRA complain about exclusion, marginalization, poor service delivery by government, persecution, denial of economic opportunity, and poverty as the main reasons behind the conflict (Branch, 2005; Nannyonjo, 2005; Shaw & Mbabazi, 2007).

In this regard, Sen (1999) has written extensively about capabilities, and how these capabilities are essential in the realization of growth and development of individuals and ultimately communities. This is a framework I will explore further in the next sub-section.

### **2.1.6 The Capability Approach**

The capability approach is a normative framework of thought for the evaluation and assessment of individual well-being and social arrangements, the design of policies, and proposals about social change in society (Robeyns, 2005:93). The approach gained popularity



in the early 1980s through the work of philosopher and economist Amartya Sen, and later in the early 1990s through the work of philosopher Martha Nussbaum. However, a great deal of work on this approach had already been pioneered by early thinkers like Aristotle, Adam Smith and Karl Marx (Robeyns, 2005:94).

The capability approach postulates that, when making normative evaluations about capabilities and human development, the focus should be on what people are able to be and to do. For example, Sen (1999) argues that, when evaluating people's development and capability, the focus should be on the real freedoms that people have for leading a valuable life, that is, on their capabilities to undertake activities, such as reading, working, or being politically active, or of enjoying positive states of being, such as being healthy or literate (Robeyns, 2003:61-62).

The capability approach can be used to evaluate several aspects of people's well-being, such as inequality, poverty, the well-being of an individual or the average well-being of the members of a group. It can also be used as an alternative evaluative tool for social cost-benefit analysis, or as a framework within which to design and evaluate policies, ranging from welfare state design in affluent societies, to development policies by governments and non-governmental organizations in developing countries. The capability approach provides a tool and a framework within which these phenomena can be conceptualized and evaluated. In particular, the core characteristic of the capability approach is its focus on what people are effectively able to do and to be; that is, on their capabilities (Robeyns, 2005:94).

According to the capability approach, development should be conceptualized in terms of people's capabilities to function, in other words, their effective opportunities to undertake the actions and activities in which they want to engage, and to be the person they want to be. For example, every person should have the opportunity to be part of a community and to practice a religion; but if someone prefers to be a hermit or an atheist, they should also have this option (Robeyns, 2005:95). These so-called beings and doings, which Sen (1999) calls functionings, together constitute what makes a life valuable. Functionings include working, resting, being literate, being healthy, being part of a community, being respected, and so forth (Robeyns, 2005:95). Sen (1999) argues that evaluations and policies should focus on what people are able to do and be, on the quality of their life, and on removing obstacles in their

lives so that they have more freedom to live the kind of life that, upon reflection, they have reason to value (Robeyns, 2005:94).

The capability approach evaluates policies according to their impact on people's capabilities. It asks whether people are being healthy, and whether the means or resources necessary for this capability are present, such as clean water, access to doctors, protection from infections and diseases, and basic knowledge on health issues. It asks whether people are well-nourished, and whether the conditions for this capability, such as having sufficient food supplies and food entitlements, are being met. Further, the approach asks whether people have access to quality education, to real political participation, and to community activities that support them to cope with struggles in daily life and that foster real friendships (Robeyns, 2005:95-96).

The capability approach identifies capabilities as people's potential functionings. Functionings, as said above, are beings and doings (Sen, 1999). Examples of capabilities are being well fed, taking part in the community, being sheltered, relating to other people, working on the labour market, caring for others, and being healthy (Robeyns, 2003:62-63). Robeyns (2003:62) argues that there is a gender dimension to the understanding and application of the capability approach. She gives examples of reproductive health, voting rights, political power, domestic violence, education and women's social status as issues that have gender dimensions, and therefore particularly women's capabilities or functionings need to be viewed that way in certain societies, particularly the patriarchal ones. Robeyns' (2003) argument is supported by Agarwal (1994:1455) who argues that the gender gap in the ownership and control of property is the single most critical contributor to the gender gap in economic well-being, social status, and empowerment.

The capability approach primarily looks at development as the process of increasing people's real freedoms by focusing on the ends that make development important (Sen, 1999:3). Sen (1999) underscores the importance of individual freedom as both the means and the end of development. To this end, Sen (1999) postulates that basic and fundamental freedoms, coupled with elimination of what he terms 'unfreedoms' – poverty, poor economic opportunities, systematic neglect and other aspects that leave people in poverty and with limited choices – are the real meaning of development.

In this regard, Sen (1999) identifies the five major freedoms as: political freedoms, economic facilities, social opportunities, transparency guarantees, and protective security. Careful analysis of the capability approach reveals that these five freedoms are inter-connected and mutually reinforcing, which means that vulnerability in one may result in deprivation in one or all the other freedoms. Notably, freedoms such as political freedoms, economic facilities and social opportunities cannot be divorced from one another, as they are mutually complementary, and are the key to the realization of the individual's freedoms. In addition, the capability approach is about the ability of an individual to function (Sen, 2005:5), in other words, the ability of the individual to be, to do, and to function effectively through, for example, sufficient nutrition and good health (Sen, 1999).

▪ **The capability approach and the population in Northern Uganda**

Relating the capability approach to the population in Northern Uganda, most of whom were IDPs for more than two decades, it is evident that majority of them lacked most, if not all, of these five freedoms. For instance, they lacked income due to displacement and confinement to IDP settlements, where they could not engage in any economic activities, paid or unpaid, which in turn affected their ability to access the 'functionings' such as food, health care, security, social groups and education.

Further, due to violent conflict and internal displacement for over two decades, the population in Northern Uganda did not enjoy any political freedoms and social opportunities due to challenges associated with living in crowded IDP settlements; neither did they enjoy protective security, since they continuously experienced armed attacks and violence even under protection of government soldiers (Quinn, 2009). The failure for the population in Northern Uganda to enjoy these freedoms has numerous ramifications for their long-term development, most notably the following: missed economic opportunities that have led to the highest poverty levels in the country; limited participation in political processes such as elections; inability of the population to access quality education and quality healthcare; total dependence on humanitarian aid, and the emergence of a population that is a passive recipient of assistance as opposed to an active and dynamic population. These issues, combined, severely undermine individuals' abilities to realize their necessary capabilities, both in the short term and in the long term.

The huge disparity between the population in Northern Uganda and the rest of the country, created by more than two decades of civil war, has led to what Ajulu (cited in Nhema & Zeleza, 2008a:214) describes as '*two Ugandas*', and has implications for what Sen (1999) calls the expansion of the range of opportunities for individuals. It is acknowledged that, although the war is over, factors remain that could threaten progress, such as economic disparity, land tenure irregularities, high levels of unemployed youth and disenfranchised populations, as well as high expectations regarding peace dividends (Rebeca Grynspan, quoted in IRIN, 2012).

Related to the capability approach, Sen (1999) perceives development as freedom. According to Sen (1999:3), development is a process of expanding the real freedoms that people enjoy. Freedoms depend on other determinants, such as social and economic arrangements (for example, facilities for education and health care) as well as political and civil rights, such as the liberty to participate in public discussion and scrutiny. This conception of development is in conformity with the human security paradigm, which emphasizes that people's freedom to exercise their many choices is a major tenet of development and security (UN, 1994:23). The quotation below summarizes the importance of freedoms and so-called 'unfreedoms' in development:

Development requires the removal of major sources of unfreedom: poverty as well as tyranny, poor economic opportunities as well as systematic social deprivation, neglect of public facilities as well as intolerance or over activity of repressive states. Sometimes the lack of substantive freedoms relates directly to economic poverty, which robs people of the freedom to satisfy hunger, or to achieve sufficient nutrition, or to obtain remedies for treatable illnesses, or the opportunity to be adequately clothed or sheltered, or to enjoy clean water or sanitary facilities. In other cases, the unfreedom links closely to the lack of public facilities and social care, such as the absence of epidemiological programs, or of organized arrangements for health care or educational facilities, or of effective institutions for the maintenance of local peace and order. Still in other cases, the violation of freedom results directly from a denial of political and civil liberties by authoritarian regimes and from imposed restrictions on the freedom to participate in the social, political and economic life of the community (Sen, 1999:3-4).

During and after the conflict, the population in Northern Uganda experienced a number of unfreedoms, ranging from high levels of absolute poverty currently at 46% (GoU, 2012a:20), lack of economic opportunities due to lack of skills and loss of livelihoods and livelihood

assets, limited access to education, limited access to health care, limited access to sufficient and good quality food, total dependence on food and other forms of humanitarian aid, poor social infrastructure, lack of decent shelter, lack of sufficient and safe water, lack of job opportunities especially for the young and skilled people – all of which Sen (1991:7) likens to keeping people in bondage and captivity – and including the absence of opportunities for meaningful participation in governance at local and other levels. These unfreedoms have indeed impeded the development in Northern Uganda. They have created a population with a sense of indifference towards community affairs, and they have created a disoriented population for whom development has become an elusive and ever changing objective. For example, the IDPs' lack of access to livelihoods caused both impoverishment and dependence on humanitarian assistance, thereby forcing them to resort to negative coping strategies and thus becoming vulnerable to economic exploitation (IDMC & NRC, 2012:10).

In addition, food insecurity among IDPs in Northern Uganda increased due to the absence of adequate development initiatives. Agricultural inputs and labour were a major constraint on food production, despite the availability of land. Income generating activities were mainly limited to low paying activities; income dropped to very low levels during the time when returning IDPs had to clear their land and construct their homes; and lastly, low incomes affected IDPs' ability to rapidly rebuild their former livelihoods or invest in livestock, thereby prolonging their dependence on food assistance (Martin *et al*, 2009).

A further complicating factor is the interconnected and intertwined nature of these unfreedoms; for example, economic unfreedom can breed social unfreedom, just as social or political unfreedom can foster economic unfreedom (Sen, 1991:8), thus perpetuating a cycle of underdevelopment, akin to Chambers' (1983:108-138) deprivation trap resulting from several clusters of disadvantage. Not only is there interconnectedness among unfreedoms, there is also interconnectedness among freedoms. For example, political freedoms (in the form of free speech and elections) help to promote economic security. Social opportunities (in the form of education and health facilities) facilitate economic participation. Economic facilities (in the form of opportunities for participation in trade and production) can help to generate personal abundance as well as public resources for social facilities. Freedoms of different kinds can thus strengthen one another (Sen, 1999:11). It should be noted that the success of a society is evaluated by the freedoms that the members of that society enjoy.

Therefore, these unfreedoms, as experienced in Northern Uganda, will continue to deny people the means and ends to development, if they are not addressed comprehensively.

The capability approach is strongly linked to the human security framework in the sense that the two models seek to measure the same variables, albeit from different stand points. While the capability approach seeks to evaluate the quality and level of achievement of variables such as education, health, etc., the human security framework seeks to ensure that these variables are sufficiently provided for as a means of ensuring the human security of individuals and communities. However, opportunities can only be taken hold of when people feel safe and secure.

### **2.1.7 The Human Security Framework**

Human security is defined as the protection of the vital core of human lives in ways that enhance human *freedoms* and human *fulfilments* (Commission on Human Security [CHS], 2003:4). This definition is based on two main aspects: firstly, safety from such chronic threats as hunger, disease, and repression, and secondly, protection from sudden hurtful disruptions in the patterns of daily life (UN, 1994). Human security thus, means protecting fundamental freedoms of people, protecting people from severe and widespread threats and situations, and protecting people from both violent and non-violent threats. It also means freedom from pervasive threats to people's rights, their safety or even their lives (Suhrke, 1999:269; UN, 1994). It means creating political, social, environmental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity (CHS, 2003:4). In addition, human security is defined by International Commission on Intervention and State Sovereignty (ICISS) (2001:15) as the security of people – primarily their physical safety, but also their economic and social well-being, respect for their dignity and worth as human beings, and the protection of their human rights and fundamental freedoms.

Human security is an emerging paradigm which is associated with the pre-eminent progressive values of the 1990s, particularly protecting human rights, implementing international humanitarian law, protecting the vulnerable, saving lives, reducing the suffering of individuals during armed conflict, and facilitating socio-economic development based on equity (Suhrke, 1999:266). It is a useful framework for understanding global vulnerabilities whose proponents challenge the traditional notion of national security by arguing that the

proper referent for security should be the individual rather than the state or the security of territory or governments (Buzan, 1997; Suhrke, 1999:269). As such, the most fundamental difference between traditional security and human security is that, while traditional security equates security with the survival of the state and the promotion and protection of its national interests, the human security framework involves a fundamental shift of focus from the state to the individual citizen. Human security is an integrative concept with two major components: freedom from fear and freedom from want (UN, 1994:24). Freedom from fear means safety from such chronic threats as violent conflict, hunger, disease and repression, while freedom from want implies protection from sudden and hurtful disruptions in the patterns of daily life – whether in homes, in jobs or in communities (UN, 1994:23).

#### ▪ **A gender dimension**

From a gender perspective, human security focuses on the serious neglect of gender concerns under the traditional security model. The focus of the traditional concept of security on external military threats to the state has meant that the majority of threats that women face have been overlooked (Robeyns, 2005). By focusing on the individual, the human security model thus aims to address the security concerns of both women and men equally. As is the case in other conflicts worldwide, women were the most affected by armed violence and conflict in Northern Uganda; they formed the majority of IDPs, they constituted the majority of victims not only of gender based violence, but also of cruel and degrading practices, such as rape (Suhrke, 1999). Even after internal displacement, women's human security continues to be threatened by unequal access to resources, especially land, unequal possibilities for property ownership, the experience of domestic violence, limited education opportunities for the girl child, exclusion from leadership structures and changed gender and social roles. In this regard, the human security framework is a vital reference for empowering women, through education, participation and access, as gender equality is a necessary precondition for sustainable peace and development.

#### ▪ **Dimensions of human security**

The UN (1994:24-25) identifies seven major components of human security, namely: economic security, food security, health security, environmental security, personal security, community security, and political security. According to the UN (1994), economic security is defined as assuring an income for the population, while food security means that all people at

all times have both physical and economic access to basic food. Similarly, health security means that people are protected against poor nutrition and an unsafe environment.

Environmental security involves the assurance that human beings live in, and also rely on a healthy physical environment. Similarly, personal security is concerned with people's security from physical violence, and this is perhaps the most important human security factor. Related to personal security is another human security component – community security, which deals with people's ability to feel secure as a result of belonging to families, communities, organizations or other groups that provide identity and a set of values. Lastly, political security is concerned with the need for people to live in a society that honours their basic human rights.

#### ▪ **Relevance to Northern Uganda**

The concept of human security is presented both as an end-state of affairs – i.e. safety from such chronic threats as hunger, disease and repression – and as a process in the sense of protection from sudden and hurtful disruptions in the patterns of daily life. Thus, an attempt to apply the human security framework to Northern Uganda during and after the conflict brings to the fore the reality that the population was, and actually remains, insecure. Far and beyond the Ugandan border in DRC and Central African Republic, the LRA leader remains at large and his army continues to forcibly recruit child soldiers as fighters, engaging in sexual and gender-based violence (SGBV) against women and girls, as well as boys and men, thereby preventing them from leading healthy lives (UNHCR, 2013).

#### ▪ **Consequences of human insecurity in Northern Uganda**

Consequently, visible regional imbalances have occurred between the northern region and other regions, resulting in and exacerbated by the inability of the local population, particularly the poor, to engage in initiatives that would enable them get out of poverty and to realize the MDGs (UNDP, 2007a). The population lacks basic productive assets; they lack capabilities and opportunities for development; there is limited human capital due to poor education and skills; orphans and vulnerable children are inadequately catered for; and there is income inequality between the Northern region and other regions (Chronic Poverty Research Centre [CPRS], 2011; Shaw & Mbabazi, 2007). This situation is worsened by the failure of many government programmes to accelerate post-conflict recovery and development.



In addition, it is proposed that the conflict has split the country into two: South Uganda has been experiencing economic development and growth, whereas Northern Uganda has been a theatre of war for the past two decades (Shaw & Mbabazi, 2007:569). The region has not benefited from the good macro-economic performance of the rest of the country, but the conflict has led to gross human rights violations, destruction of infrastructure, economic paralysis, disruption of social service delivery systems and social disintegration (UNDP, 2003). This situation calls for what Sen (1999), in his capability framework, describes as expanding opportunities for people as a means of realizing development. One example of economic insecurity that has affected the IDPs is denying them access to their ancestral land where they undertook subsistence farming activities, which is effectively denying them any form of income.

In a number of Africa countries, IDPs live in protracted displacement; their process of finding a durable solution has stalled, often leaving their rights unprotected and their communities marginalised (IDMC & NRC, 2012:3). It is acknowledged that Disarmament, Demobilization and Reintegration (DDR)<sup>35</sup> of former combatants are major challenges for countries emerging from conflict. Although ex-combatants make up a relatively small share of the total population, unemployment and idleness, particularly of young men, are stress factors that can strain and potentially undermine fragile post-conflict environments (Keddie, 1998). In fact, in some cases, such as the DRC, Liberia, and Sierra Leone, young ex-combatants have no memory of peaceful times or normal civilian life (World Bank, 2013:195). Particularly in Northern Uganda, the reintegration of young ex-combatants appears not to have been managed well either, yet it resides in the nexus of development and security agendas and has emerged as a critical development tool as well as a preventive intervention instrument for sustainable peace (Pouligny, cited in Maina, 2009b:115).

#### ▪ **A criticism of human security**

Although praised by supporters as a ground-breaking framework to redefine security and as a new paradigm in security studies and policy making, the human security framework has been

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<sup>35</sup> DDR refers to the process of demilitarizing official and unofficial armed groups by controlling and reducing the possession and use of arms, disbanding non-state armed groups and reducing the size of state security services, and assisting former combatants to reintegrate into civilian life (Ball & Van de Goor, 2006).

criticized by a number of scholars (Axworthy, 2001; Kaldor, 2007; King & Christopher, 2001; Paris, 2001) for being too broad and overly vague, which undermines its effectiveness; for being imprecise and therefore unable to make any contribution to academia or policy; and for being difficult to prioritize and operationalise due to the overlapping nature of its seven dimensions. In particular, Paris (2001:88) argues that the human security framework is “slippery by design” as it fails to separate causes and effect.

In the implementation of the human security framework, there should be a careful balance between freedom from fear and freedom from want. There is a danger of organisations placing emphasis on one and not the other. For example, in Northern Uganda there appears to have been emphasis on freedom from fear (conflict prevention and resolution, peace-building, violence prevention) while neglecting or doing little about the freedom from want (emergency assistance, hunger and disease).

#### ▪ **The human security of IDPs**

The phenomenon of IDPs is relatively new, having only received international attention in the early 1990s. During the past decade, increasing numbers of intrastate conflicts have swelled the number of IDPs, whereas the number of refugees has gradually shrunk (Salama *et al*, cited in Spiegel *et al*, 2010:341). Displacement not only violates an individual’s dignity but can also amount to a violation of their human rights, including *inter alia* their rights to life, shelter, food, an adequate standard of living, property, equality, and non-discrimination. It also often exposes the most vulnerable among them, women and children in particular, to illness, destitution, exploitation, gender-based violence, and forcible recruitment into armed groups.

Conflict has been, and indeed remains, a major driver of forced displacement in many parts of the world. The international system gives the state primary responsibility for the well-being and rights of its displaced people within its borders. However, more often than not, the state itself is caught up in internal conflict, and may lack authority, stability, capacity, legitimacy and governance systems to guarantee the welfare and rights of the displaced

people. In addition, humanitarian space<sup>36</sup> has shrunk substantially because of political polarisation and a perception by combatants that humanitarian assistance is merely an instrument of interference by foreign powers (Spiegel *et al*, 2010:341).

The largest wave of displacement in Uganda occurred in 1995-96, when the government forced civilians in Northern Uganda into so-called 'protected villages', which received little assistance from the government (Internal Displacement Monitoring Centre [IDMC] & Refugee Law Project [RLP], 2006). As a result, IDPs fled to urban areas where they were not sufficiently provided for. According to Refstie *et al* (2010:32), IDPs in urban areas are most often perceived as either economic migrants, or IDPs who have reached a 'durable solution,'<sup>37</sup> and consequently, they are not given much attention and assistance.

The human insecurity of IDPs does not end when they return from displacement because, even when they return home, they encounter considerable obstacles to reintegration and other durable solutions, i.e. local integration in cases where they have been displaced to or resettlement to another part of the country. The human security challenges for IDPs in return areas include insufficient safety of returnees; failure to return property to the displaced and reconstruction of their houses; and failure to create an economic, social and political environment that sustains return (Kalin, 2007:2).

Although over 95% of former IDPs have returned to their homes within Northern Uganda, the need to protect them in their homes, both in urban and rural areas, remains – because they remain vulnerable as a result of their human security situation. For the few people still in IDP camps, estimated to be 30,000, the need to continue with protection activities remains, with particular focus on life-saving activities, physical security, the provision of basic services such as shelter, health, water and sanitation, and support to long-term livelihoods (IDMC, 2013). The hundred of young boys and girls remain exposed to threat of abduction and recruitment into rebellion partly because of unemployment, the lack of opportunities for education and economic opportunities.

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<sup>36</sup>Humanitarian space refers to physical locations that are safe from attack in a conflict; respect for core humanitarian principles of independence, impartiality and neutrality; and the ability of aid agencies to access and help civilians affected by conflict (Spiegel *et al*, 2010:341).

<sup>37</sup>IDPs are considered to have reached a durable solution when they have either returned to their places of origin, have locally integrated in the areas in which they initially took refuge, or have settled and integrated in another part of the country and no longer have displacement-specific needs (Refstie *et al*, 2010:32).

Regarding the continued human insecurity of IDPs, Kalin (2007:2) adds thus:

Failure to consider IDP concerns may jeopardize the sustainability of peace. For example, when displaced people must return to areas where armed groups that have displaced them are still present or where access to their land is dangerous because of landmines, return might not take place. If IDPs are not able to recover their land or property or otherwise find solutions allowing them to live decent lives, and when they feel that they have suffered injustice, reconciliation becomes more difficult. If durable solutions are not found for IDPs, their potential for contributing to economic reconstruction and rehabilitation is limited and poverty reduction becomes more difficult. In contrast, resolution of such issues can be a positive force for social rehabilitation and thus lasting peace. Experience has shown that IDPs who return can play an important role in re-building their homes and communities and thus in contributing to the economic development of the country.

Accordingly, human security in the case of Northern Uganda would mean freedom from violence and freedom from fear, and addressing the individual and community vulnerabilities that accompany them. It would also mean access to food, access to quality health care, access to quality education, freedom from fear of insecurity for individuals and the community, the ability to live in a safe environment, access to economic opportunities, and the realization of the right to participate in political processes, including freedom to participate in peace processes, plus other freedoms and fulfilment. More importantly, human security would mean freedom for the two million people previously uprooted from their homes by the conflict to return to their homes in safety, and to be assured of an end to the conflict. Human security would also mean affirmative-action economic opportunities to address and reverse the income inequalities between Northern Uganda and other regions, thereby promoting equitable development. It is on this basis that all initiatives in Northern Uganda are (or should be) designed and implemented using the human security framework.

From the preceding discussion, it is clear that the human security situation in Northern Uganda did not permit the population to participate meaningfully in the peacemaking and conflict resolution process; they had numerous encumbrances and were pre-occupied with improving their human security situation, as the power of the state was weak, distant and illegitimate during most of the period of the conflict.

### ▪ Land as a human security factor in Northern Uganda

Land conflict lies at the root of many internal displacement flows in Africa, and the resolution of hotly contested land claims represents a key barrier to solutions for thousands of IDPs (Bradley & Aspelt, 2012). Land issues are important drivers of violence and conflict when access is unequal, tenure insecure or competition intense (IDMC & NRC, 2012:11). Similarly, land in Northern Uganda has become one of the most critical factors in the resettlement and post-conflict recovery process, with peace and stability in the majority of return areas being hampered by land disputes (IRIN, 2012).

Also, inter-communal disputes over land and the allocation of land to private investors for cultivation, could threaten peace in parts of Northern Uganda. For example, between January and April 2012 alone, at least five people were killed in violent land disputes in Amuru district, while two people were killed in the newly created Nwoya District late 2011 (IRIN, 2012). The land problem is equally acknowledged by the GoU. Betty Bigombe, Uganda's Minister for Water and former negotiator with the LRA (quoted in IRIN, 2012) stressed that land conflict would be a hindrance to development if it was not addressed. She warned that failure to address the land disputes could lead to another conflict like the one with the LRA. It is recommended, therefore, that one of the ways to mitigate rampant land disputes in Northern Uganda is the enactment of new legislation or the amendment of existing land legislation to resolve issues related to land inheritance, inconsistencies arising from colonial mistakes, women and land, minorities, land administration, compulsory acquisition, and lately the vice of land-grabbing (IRIN, 2012).

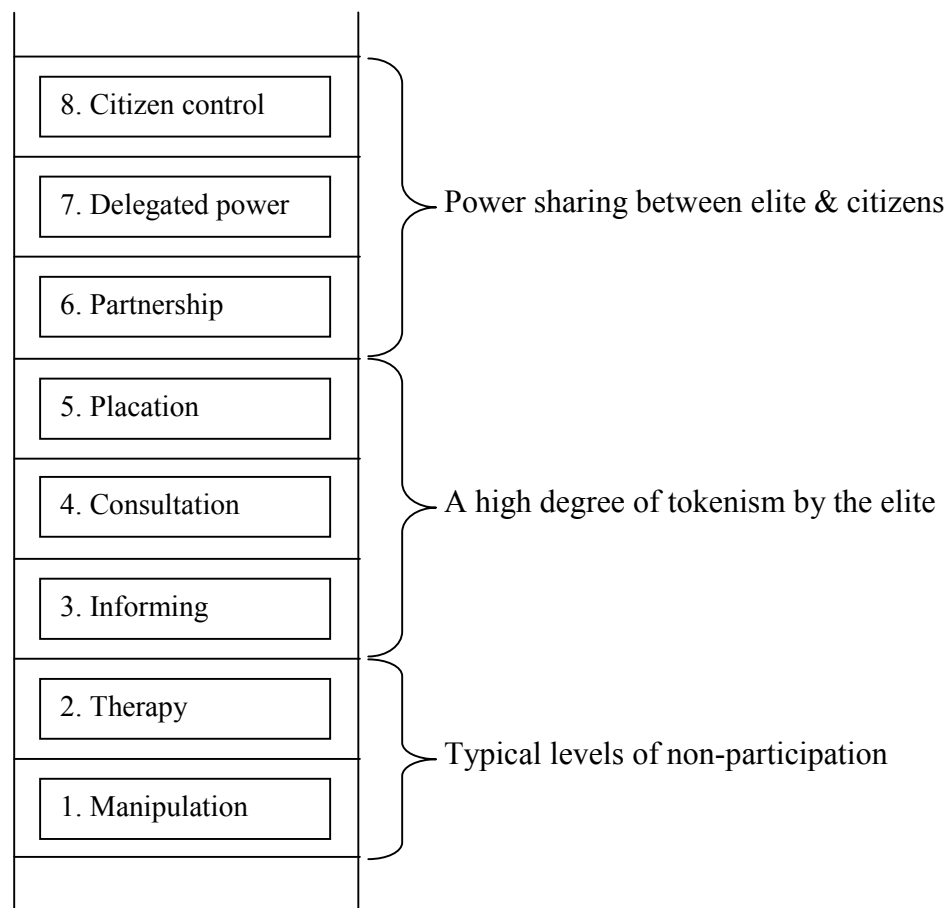
However, there remain challenges with mechanisms for resolving land disputes. Under the AU Convention for the Protection and Assistance of IDPs in Africa (2009), for example, the property dispute resolution mechanisms that states are encouraged to establish under Article 11(4) are not explicitly enjoined to restore property to displaced claimants, tacitly recognizing that in some cases other groups (for example, longstanding secondary occupants) may also have a legitimate claim to the land.

### 2.1.8 The Ladder of Citizen Participation

One of the most dominant theories of participation is closely associated with Arnstein (1969) who identified and illustrated the eight levels of participation in a ladder pattern; this model has come to be popularly known as '*the ladder of citizen participation*', with each level

corresponding to the extent of the citizens' power in determining the end product (Soen, 1981:108). In a descending order, Arnstein identifies these levels as citizen control, delegated power, partnership, placation, consultation, informing, therapy, and manipulation.

**Figure 7: The Ladder of Citizen Participation**



**Source:** Based on Arnstein (1969), Feingold (1977) and Charles and DeMaio (1993)

**Figure 7:80** is an illustration of the ladder of citizen participation. It is based on Arnstein, (1969), Charles and DeMaio (1993) and Feingold (1977). Arnstein asserts that citizen control, delegated power and partnership illustrate the degree of citizen power. She argues that citizen participation is a categorical term for citizen power, and that participation without redistribution of power is an empty and frustrating process for the powerless. The top three levels of participation on Arnstein's ladder presuppose equal sharing of power between the elite and ordinary community members. In the middle of the ladder of citizen participation, Arnstein (1969) argues that placation, consultation and informing reflect the degree of

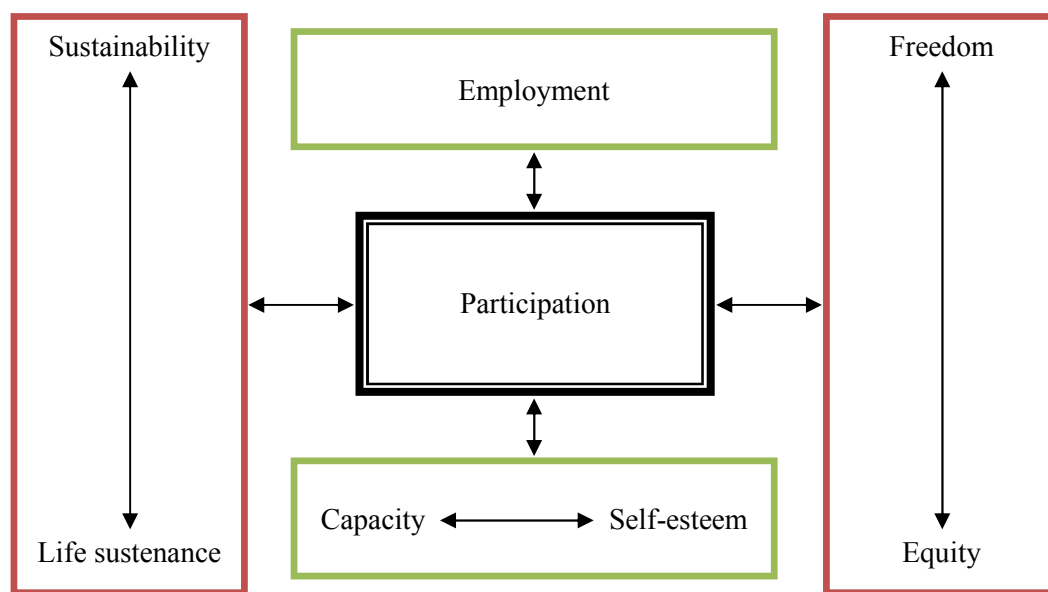
tokenism that exists (Soen, 1981:108). Arnstein (1969) further asserts that therapy and manipulation are typical levels of non-participation. White (1996:6), in contrast, contends that while participation has the potential to challenge patterns of dominance, it may also be the means through which existing power relations are entrenched and reproduced.

Despite being one of the most influential theories of citizen participation, there have been attempts to modify the model. For example, Feingold (1977:157) attempted to increase the likelihood of citizen participation by reducing the rungs of the ladder from eight to five: informing, consultation, partnership, delegated power, and citizen control. Charles and DeMaio (1993:893) further modified the ladder and collapsed it into three categories: consultation, partnership and citizen control. These variations illustrate that there are significant gradations of citizen participation, and that, the higher the rungs of the ladder, the greater the redistribution of decision-making and control to the public. For Charles and DeMaio (1993:893), consultation represents the lowest form of actual citizen participation. In fact, Feingold (1977:158) argues that, while consultation provides an opportunity for individuals to express their views, there is no guarantee that individual views will be taken into account. Conversely, partnership represents a higher rung of the ladder; under this, power is re-distributed through negotiations between ordinary citizens and decision makers.

Lastly, Feingold (1977:158) suggests two high categories of citizen participation: delegated power and citizen control. He postulates that, while citizens may have dominant decision-making authority under delegated power, they have full control when they are put in full charge of decision making under the citizen control rung. Both Arnstein (1969) and Feingold (1977) appear to agree that delegated power and citizen control represent the highest form of citizen control, since there is more likely to be meaningful transfer of power from traditional decision makers. Too often, however, genuine and balanced participation only takes place at the operational stages of programme development. As a result, there will be charges of 'tokenism' and threats to withdraw from the participation process entirely (Zakus & Lysack, 1998:8). Although the ladder of citizen participation is relevant to Northern Uganda, there is limited literature as to the extent of community participation in Northern Uganda, particularly in the conflict resolution process, and more specifically the Juba peace talks. However, the responses of the study participants were very insightful, and will be presented in greater detail in the findings chapter ahead. The emerging conclusion is that there was minimal and unstructured community participation.

Another perspective of community participation was advanced by Wetmore and Theron (1998:36-37), which views community participation both as a means and an end (see **Figure 8:82**). The authors suggest that, for community goals to be realized, a number of changes must take place: the capacity of citizens to influence their own future must be expanded; development must progress on the basis of equity so that equality is achieved; and political empowerment must be encouraged so that people participate in their own development.

**Figure 8: Community Participation as a Means and as an End**



A Model of Participation as a Means and as an End, Based on Wetmore & Theron (1998)

However in the light of the foregoing discussion, and taking into account the various theoretical models explored in this study, this diagram could be re-conceptualized to bring out a stronger connection between the many determinants of effective participation, most notably: human needs, human security, citizens' capabilities, and citizens' inclusion in all community processes. In order to strengthen community participation, the theoretical models used in this study can be integrated into a single model to show the interconnected nature of the theoretical frames used in this study, and to enable the development of a more coherent discourse regarding community participation in conflict resolution processes (see **Figure 10:93**).



### **2.1.9 Representation and the Legitimacy of Community Representatives**

Legitimacy means the product of satisfying the felt needs and solving perceived and observed local problems, i.e. legitimacy refers to citizens' support of a policy, order or regime (Hanberger, 2003:270). In this regard, it is argued that sustainable peace needs a public peace process since the elite - diplomats, governments and armed groups may simply not be acting in the interests of the citizens (Lederach, 1997:94-95; Barnes, 2002:6; Pouligny, 2009:174-187; Ron, 2010:347-355). However, since the entire population cannot attend peace negotiations, civil society groups become the people's representatives and their involvement improves the prospect of ownership of both the negotiations and the outcome. In fact, ownership of peace agreements creates significant pressure for implementation (McKeon, 2004:5). Nonetheless, ideally, any peace process needs to be embraced by those who have to live with the consequences, namely the population whose exclusion from such a process may otherwise alienate them (Barnes, 2002; Donais, 2009; Bell & O'Rourke, 2007).

Further, current research suggests that peace processes are more likely to achieve durable peace if they are inclusive because they are then likely to enjoy the support of the entire population. It is such inclusion that has a positive effect on the legitimacy of the peacemaking process. However, during the negotiation of elite agreements, those who should arguably be benefiting from the peace in the first place, namely the citizens, usually do not participate (Zanker, 2013:2). This is because such negotiations are inherently elite and often externally mediated (Barnes, 2002; McGhie & Wamai, 2011). Although negotiations limited to a small number of conflicting parties can, in some instances, be successful, allowing warring factions to come to an agreement, a peace won by excluding other groups can come at a price (Zanker, 2013:3). In particular, the population may feel left out of a process that is not really theirs, yet a legitimate peace process must obtain the broadest possible support from political parties and the population (Donais, 2009:3; Wanis-St. John & Kew, 2008:13; Lanz, 2011). It is on this basis that there has been advocacy for involvement of CSOs, arguing that they make peace processes more legitimate, thus improving the prospect of durable peace (McKeon, 2004:21; Belloni, 2008; Jarstad & Sisk, 2008:11; Wanis-St. John & Kew, 2008; Lanz, 2011:238; Nilsson, 2012:21).

A clear definition of civil society is useful in understanding what it is, and if it is legitimate enough to represent communities in peace processes. According to Belloni (2008:182), civil society is the set of voluntary organisations and groups not created by the state. But does not

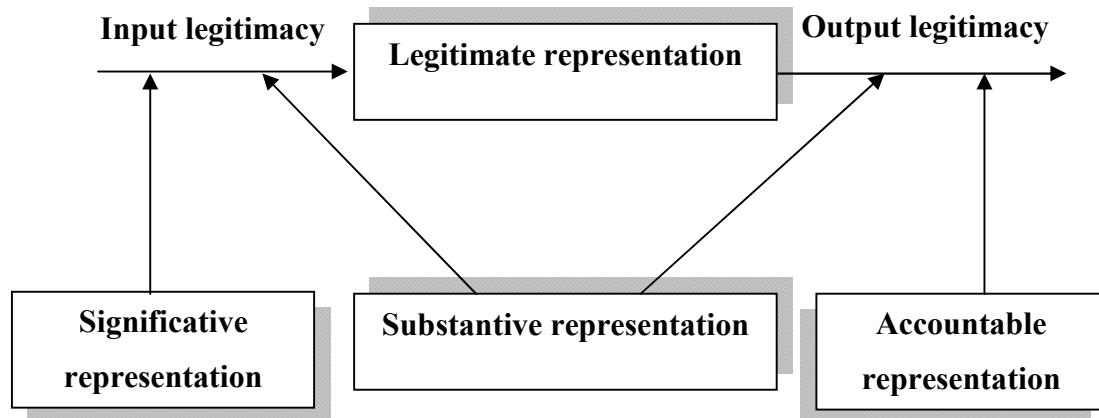
being created by the state give civil society sufficient legitimacy to represent the wider community? And is representation understood by both the community members and civil society officials? The classic definition of ‘representation’ comes from Pitkin (1967:8) who defines it as ‘making present again’ – making opinions and voices present in their actual absence. Pitkin (1967:8) distinguishes between formalistic, descriptive, symbolic and substantive representation. While formalistic representation refers to the institutional arrangements which assign to representatives the authority to represent, and their accountability to those they represent, symbolic representation is what the representative stands for. In other words, what the representative means or symbolizes for those being represented. Further, descriptive representation considers representation to be like a mirror or a piece of art, resembling those being represented. Substantive representation refers to activities of representatives and whether their actions are taken on behalf, or in the interest of, those being represented.

Based on Pitkin’s (1967) framework, it is not immediately clear as to the type of representation that was undertaken by cultural and religious leaders, who represented the community in Northern Uganda during the Juba peace process, and how this was done in practice, especially considering that it remains debatable whether civil society actors are legitimate representatives of the community (Bell & O’Rourke, 2007:305; Belloni, 2008:209).

In arguing for community representation in peace processes, Sharpf (1997:18-36) proposes a multi-dimensional framework for democratic legitimacy. It consists of a political system’s input legitimacy, which emphasises authentic representation or fair proceedings with all relevant stakeholders being involved. The framework also consists of outcome legitimacy, which emphasises effective policies as an outcome. While input legitimacy presupposes that every citizen should be able to participate in public discourses, linking political decision with the community’s preferences, output legitimacy is normally the guarantor of legitimacy as it is concerned with a high degree of effectiveness in achieving goals and outcomes that citizens are more collectively concerned about (Scharpf, 1997:19). More specifically, input legitimacy relies on representation since not everyone will be able to participate in political processes (Boedeltje & Cornips, 2004:6-10; Ron, 2010:356-359). In addition to Scharpf’s (1997) model, Zanker (2013:5) proposes a model of ‘legitimate representation’ which has

three elements, namely: significant representation, substantive representation and accountable representation.

**Figure 9: Model of Representation (Based on Zanker, 2013; Scharpf, 1997; Pitkin, 1967).**



**Source:** Zanker (2013:5).

Drawing on examples from Liberia and Kenya civil society participation in peace making, those in favour of civil society representation provide seemingly compelling arguments. For example, civil society groups participated in negotiations that led to the comprehensive peace agreement for Liberia, signed in Ghana in 2003. During the negotiations, CSOs were involved in the negotiations as official delegates, unofficial observers and as activists. Also, civil society groups were appointed to Liberia's national transitional legislative assembly created by the comprehensive peace agreement (Zanker, 2013:6).

While it is widely believed that the inclusion of civil society groups as community representatives to peace processes is good, it is fraught with some challenges (Wanis-St.John & Kew, 2008:21-22). Involving many parties to a negotiation will not facilitate cooperation between parties as disorganization increases with the number of actors, potentially leading to a 'progressive deterioration of effective communication' (Zanker, 2013:3). In addition, civil society representatives and community members invited to participate in the Liberia peace process reported that their participation was constrained by the fear of being killed, in addition to poverty and struggling to survive. As such, involvement in the peace process was seen as a secondary issue. Furthermore, CSOs which participated in Liberia's negotiations

that led to the comprehensive peace agreement made independent arrangements for their participation, and were hampered by financial difficulties and security restrictions (Hayner, 2007:28; Nilsson, 2009:42).

In addition, various local government officials, youth leaders and religious leaders felt that the ordinary people had not been represented during the Liberian peace talks, and that CSO officials who attended the negotiations went there to get jobs. In particular, one respondent in Zanker's study (2013:8) claimed that negotiators in Liberia's peace talks never asked the local people what they wanted, and there was no local representation. The Kenya peace process of 2008 was also criticised for being elitist and being dominated by top and urban elite from the political, diplomatic and civil society class (Zaker, 2013:9-10). Even civil society groups that participated in negotiations that led to the Liberian CPA were criticised for being western-educated elite who did not know what was happening outside the capital, Monrovia (Zanker, 2013:8). On his part, however, the chairman of the inter-religious council of Liberia argued that through their extensive networks, they were aware of what was happening all over the country (Zanker, 2013:8).

Regarding the relevance of Scharpf's (1997) and Zanker's (2013) models, the main elements of both of these models seem to have been absent in Northern Uganda's peace making process. It appears that community members did not directly identify with their representatives and vice versa. There does not appear to have been any symbolic attachment between the community and their representatives, which would make the representatives appear more legitimate.

Nonetheless, it has been argued that no other obstacle is more daunting than the choice of who should participate in peace processes (Ron, 2010:366). Also, there is a view that during times of conflict, it will no doubt be difficult to gather comprehensive data on what the population expects from a negotiation process, but at the very least, civil society should explain their role and input to those they represent (Zanker, 2013:6). It has been argued, therefore, that the long-term benefits of designing inclusive processes far outweigh the short-term gains of an exclusive process (McClinton & Nahimana, 2008:75; Moran & Pitcher, 2004:516; Wanis-St.John & Kew, 2008:32).

### **2.1.10 Community participation: an overview**

Without bottom-up community participation approaches to conflict resolution and/or peace building, any settlement or development initiative is doomed to failure. The politics of inclusion/exclusion play a central role in conflict dynamics with South Africa's Apartheid policy being a clear example of this. The persons who are most affected by wars and violent conflict are ordinary citizens, community members whose homes are destroyed and whose lives are at risk. They are the ones who can most eloquently speak about the impact of wars and how best to address their needs. But the notion of 'community' is still highly contested as well as the meaning of 'participation'. Participatory community representation at various decision making fora is considered to be part and parcel of any democratic society, and having people participate in their own development planning brings their views into the arena of genuine participatory decision making (Bowen, 2008:65; Cooke & Kothari, 2001). However, the concept of 'participation' and its actual implementation is susceptible to abuse and misuse, and requires a context-specific interpretation (Cooke & Kothari, 2001:18).

There has so far been insufficient interest in examining community participation in conflict resolution processes in different contexts, specifically among conflict-affected communities, in order to understand how these processes have contributed to the success and sustainability of peace. Proponents of community participation argue that community involvement in conflict resolution processes and the utilization of indigenous and socially acceptable approaches are more likely to result in sustainable peace (Mac Ginty, 2008:140). According to Van Tongeren (2005), by bringing communities together while working towards a common goal, individuals and community groups, such as women's groups, youth groups and faith-based organizations, can all play a crucial role in the promotion of peace, particularly at the community level.

However, there have been numerous explanations offered for the limited involvement of the community in conflict resolution. In Africa especially, one of the reasons given is a lack of capacity, especially skills and ability, among community members, yet it is also argued that communities can be empowered to improve their capacity and to use their skills to secure their own futures. Another problem that is often cited is the absence of appropriate structures for community participation. In this regard, Strange (1972:657) argues that there is a need for clear citizen participation structures, and that these structures must have clear and direct access to the decision-making process. With regard to the gender bias the participation of

women in decision-making fora as compared to men has been negligible. Generally, the numbers of women who participate in formal negotiations is very limited at local and global levels, but this situation appears to be worse in Sub Saharan Africa. The cultural and patriarchal systems that have been passed on from generation to generation present numerous structural and systemic challenges and limitations that do not allow women to exploit and maximize their potential (UNIFEM, 2010; UNIFEM, 2005).

Burns *et al* (2004:2-3) emphasise the importance of community participation. They argue that active participation of community local residents is essential to improved democratic and service accountability. Further, Burns *et al* suggest that community participation enhances social cohesion because communities recognise the value of working in partnership with each other and with statutory agencies. Thus community participation brings local knowledge and local perspectives into critical debates (Cooke & Kothari, 2001:19). The question remains as to how one could further empower community members through building their capacities. In addition, community participation enhances effectiveness of decisions since their ‘buy-in’ would lead to greater success when it comes to the implementation of plans that affect them.

In addition to the above, Conciliation Resources (2013) posits that because community definitions of needs, problems and solutions are different from those suggested by elite officials, community participation then enables policy to be relevant to local communities, in addition to delivering regeneration and skills development and networks, which gives community members the opportunity to address social exclusion. Burns *et al* (2004:3) further elucidate that community participation promotes sustainability because community members have ownership of their communities and can develop the confidence and skills to sustain developments once the ‘extra’ resources have gone. Nonetheless, the traditional model of community participation needs to be re-examined. According to Cooke & Kothari (2001:22), community members participate in programmes that have been pre-arranged by the elite or elite agencies, and not the other way round. In this sense, the nature and extent of community participation is already pre-determined and shaped by the interests of the elite. Therefore, the assumption that the inclusion of community members is a way of democratising decision making is a simplistic understanding of the dynamics of community development. In fact, Cooke & Kothari (2001:31) argue that more community participation does not necessarily mean that decisions and programmes will favour the affected communities.

Despite the good intentions of proponents of community participation, the behaviour of those in power (the elite) limits such direct and active participation of citizens. It appears that dominant groups have often deprived the marginalised and more vulnerable and socially excluded segments of society from participation in community affairs (Botes & Van Rensburg, 2000:50).

This study thus focused on the potential for community participation in the conflict resolution process in the Northern Ugandan context. Because of the difficulties associated with community participation, the term can be prone to misinterpretation. Particularly in the case of Acholi, a significant proportion of the community are persons who were internally displaced for more than two decades.

The study, therefore, addresses the issue of whether the participation of ordinary citizens in the conflict resolution process could contribute to the sustainability of peace. At the same time it interrogates whether the internally displaced people (IDPs) considered themselves as a community as such. This study, therefore, focuses on perceptions as to whether the participation of this IDP community could contribute to the sustainability of the peace in Northern Uganda.

#### **2.1.11 Community Capacity and Opportunities for Participation**

Community participation, however effective, is not a panacea for all community problems, although it is essential for identifying and dismantling the political, economic and social arrangements that foster increasing disparities between the poor and the rich (Morgan, 2001:229). However, very often participation is via consultation instead of partnership or delegation (Kilpatrick, 2009:39). In this connection, Guijt and Shah (1998:1) criticize the participatory development model because many participatory development initiatives do not deal well with the complexity of community differences, including age, education, economic status, religious affiliation, caste, ethnic group, and, in particular, gender.

Effectiveness of community participation can be linked to citizens' ability to participate. In this regard, Frankish *et al* (2002:1471) contend that discussions about the roles and responsibilities of citizens often focus on their capacity to make decisions. To this end, Brownlea (1987) argues that the desire to have community representation may compromise the quality of processes partly because the people involved may have limited skills or

knowledge compared to those responsible for making the decisions. Also, participation may involve people who are less accountable for outcomes than professional decision-makers. Other scholars (Arnstein, 1969; Piette, 1990) appear to concur with Brownlea (1987) when they argue that participation may be costly and inefficient.

Furthermore, Charles and DeMaio (1993:893) contend that the level of participation in decision making is the extent to which individuals have power in the decision-making process. For Charles and DeMaio (1993:893), there is a significant difference between listening to the views of ordinary citizens on the one hand, and shifting full decision-making authority and responsibility to them on the other. The level of decision-making involvement is key to defining what is meant by participation and the processes established to structure it.

Also, Sawyer (1995:19) adds that community participation may threaten professionals because it requires the sharing of their sources of power – knowledge and skills. In addition, Dudley (1993:7) suggests that true participation is a threat to powerful and vested interests. Sharing power and other resources with ordinary citizens may result in conflict with the elite. Also, as members of the public, ordinary citizens do not have access to resources that translate into political power and decision-making authority (Checkoway, 1981; Morone & Marmor, 1981). To this end, Charles and DeMaio (1993:888) assert that many of the early citizen participation experiments have not resulted in a full transfer of power to the public. Nonetheless, there is no question that there is increasing legitimacy for the demand for increased citizen participation in decision making.

Nevertheless, there seems to be an increased focus on the need for public participation, and this has been a major focus of recommended reforms in the governance sector in particular. Richardson and Waddington (1996:314) contend that, for true democratic participation and decision making to take place, there is a need to empower communities, while at the same time curtailing the dominant role of the professional groups. In fact, Morone (1990:253) asserts that the call for citizen participation has not only been one of empowering an oppressed group, but of subordinating the dominant groups. However, as Sawyer (1995:19) argues, it should be noted that tensions might emerge as experts would feel threatened by uncertainty and by an anticipated reduction in their influence and expert power. Additionally, Alvarez *et al*, 1998:4) note that, because participation usually involves a set of material



demands, such as a redistribution of resources, its meanings will inevitably be contested both at the level of rhetoric and in social practice.

Citizen participation is often said to be shallow – because it normally occurs after issues have been framed or the decisions have been made (Yang & Pandey, 2011:880). Admittedly, opening up to citizens' participation takes more time than it takes for managers to make unilateral decisions, yet such unilateral decisions may alienate external stakeholders and become tied up in controversies, delays or litigations (Creighton, cited in Yang & Pandey, 2011:885).

Regarding the need to redistribute power, Polletier (cited in Kilpatrick, 2009:40) argues that those with power in the community are likely to influence the agenda at the expense of disadvantaged groups. This builds on the revelation by Boyce (cited in Kilpatrick, 2009:40) that, even in developed countries, disadvantaged groups are unlikely to be able to participate equally or meaningfully. In addition, even quite unintentionally, community participation usually ends in consolidating the power of professionals, rather than achieving the ideal of broad-based local involvement (O'Neill, cited in Zakus & Lysack, 1998:8). Nonetheless, Werner (cited in Zakus & Lysack, 1998:3) asserts that, despite the challenges, there is some level of agreement that a community's level of participation reflects the level of power in its possession.

But as Chambers (1998:xviii) argues, struggles over power are not necessarily destructive. To this end, Morgan (2001:222) contends that power struggles are, to many analysts, crucial to the long-term viability of participatory endeavours. Chambers (1998:xviii) hastens to add that, for the ensuing conflict to be productive, planners and policy makers need to anticipate it and devise mechanisms to accommodate it because participation programmes that cannot cope with disputes over power are likely to fall short of expectations.

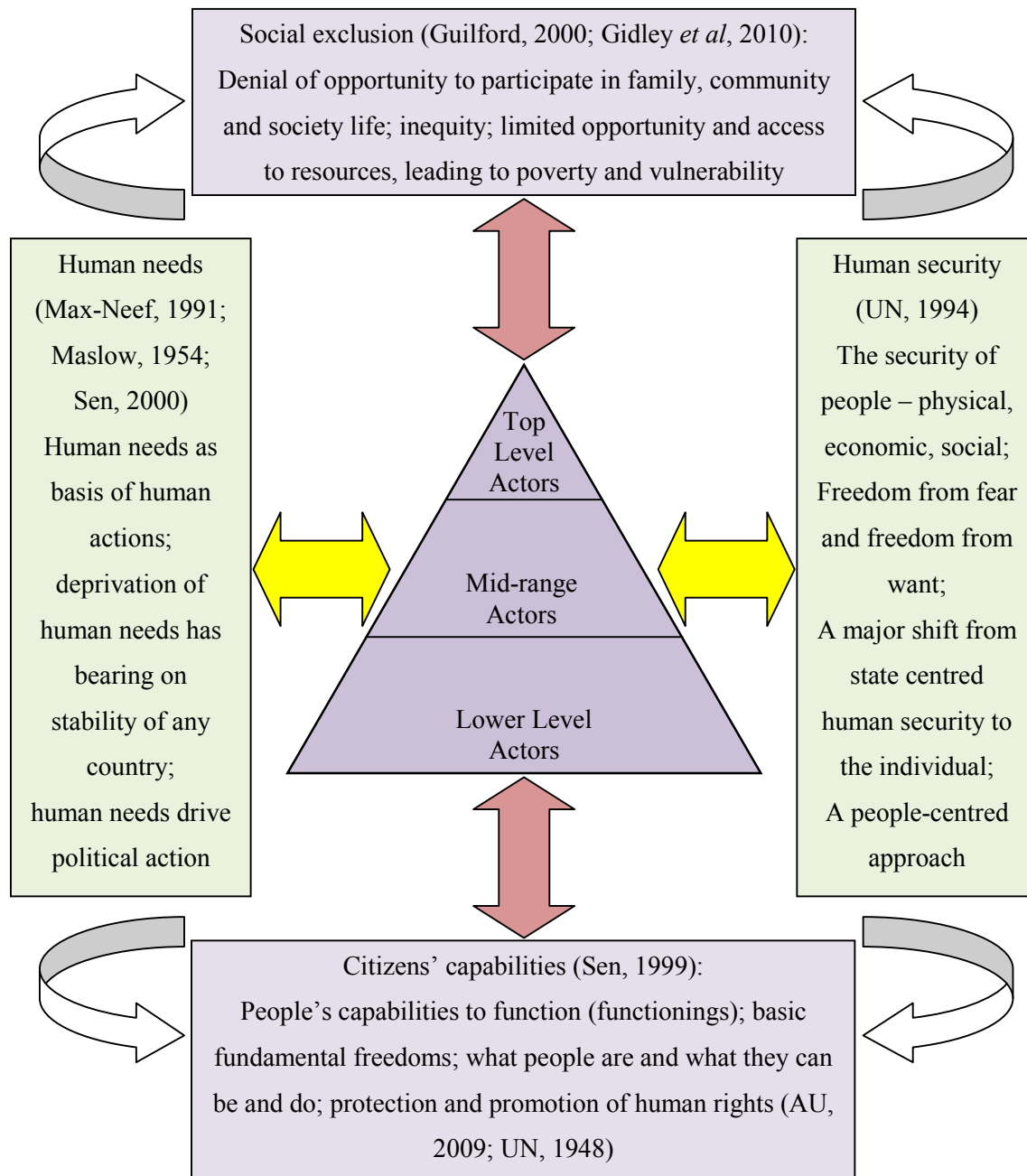
Particularly during peacemaking and peace building processes, community participation can be constrained by the sensitivities surrounding conflict and violence. Often times, conflict resolution is overly 'securitized', hence creating the impression that it is a matter that should be left to the security experts or other elite actors. To this end, therefore, the role of the community in peace making is limited to the local level efforts such as promoting community

cohesion and coexistence, while the role of resolving the sticking points is exclusively carried out by the elite (Lederach, 1997; Conciliation Resources, 2013).

It should be noted, however, that participation might mean an additional burden to the vulnerable population (Sawyer, 1995:18). In addition to the burdens that can be imposed by community participation and the difficulties in achieving broad and genuine local involvement, meaningful participation also brings socio-political risks and implications (Madan, cited in Zakus & Lysack, 1998:8). For example, there may be political and bureaucratic unwillingness to encourage widespread community participation since it may be perceived as a threat to established power patterns and actively resisted (Collins, cited in Zakus & Lysack, 1998:8). In particular, involving the community in resource allocation decisions undoubtedly creates tensions (Richardson & Waddington, 1996:313). Nonetheless, Richardson and Waddington (1996:314) argue that the role for the community in resource allocation decisions must continue to be developed.

In the subsequent sections of the thesis, the literature presented will be useful in contextualising this study and the analysis and discussion that follows.

**Figure 10: A Conceptual Model for Community Participation**



The model, **Figure 10:93**, shows that the community members are (or should be) at the centre of participation processes. Arrows that link community participation processes to the determinants of effective community participation, namely human security of citizens, satisfaction of the needs of the communities, improved capabilities of community members, and social inclusion are connected with the centre to highlight the connectedness of the pre-requisites for community participation. Conversely put, the model identifies what needs to be in place in order for citizens to participate effectively in the peacemaking processes. The

model further illustrates that the failure to guarantee human security, the failure to meet citizens' needs, the failure to guarantee citizens' social inclusion, and the failure to enhance the capabilities of citizens, negates their ability and motivation to participate by reducing the factors that lead to their exclusion. In the context of former IDPs in Northern Uganda, the model makes a case for ensuring human security, meeting citizens' needs, ensuring citizens' meaningful social inclusion and strengthening citizens' capability as an effective and necessary strategy for dealing with the aftermath of two decades of war.

## **2.2 Legal and Policy Frameworks for Protection of IDPs**

World leaders, and African leaders in particular, have made commendable efforts in developing a sound normative framework for protection and promotion of the rights of IDPs; it includes: the African Charter on Human and People's Rights (1981); the Guiding Principles on Internal Displacement (1998); the African Union Convention for the Protection of the Rights of IDPs (2009); the Great Lakes Protocol for the Protection of IDPs (2006); and the Uganda National IDP Policy (2004).

### **2.2.1 The African Charter on Human and People's Rights (ACHPR) (1981)**

The *African Charter on Human and Peoples' Rights* covers both civil and political rights as well as economic, social and cultural rights. The Charter, furthermore, not only includes these rights for individuals but also for peoples. In addition, it also imposes duties, which is unique in international human rights instruments (Ouguergouz, 2003). The charter was adopted by the African Union (then the OAU) in 1981 and entered into force in 1986. It has been ratified by fifty-three African Union (AU) member states, and it provides a full-fledged human rights framework applicable in situations of internal displacement. It also contains features that are important for the protection of IDPs, such as the right to development (Ouguergouz, 2003).

The Charter's individual rights and freedoms (civil, cultural, economic, political and social) include rights to: non-discrimination (article 2); liberty and security of person (article 6); fair trial (article 7); receive, express and disseminate information and opinions (article 9); property (article 14); and education (article 17). Furthermore, states parties have an obligation to protect and assist the family (article 18). The peoples' rights enshrined in the African Charter ensure *inter alia* that all peoples: are equal (article 19) and have the right to a general satisfactory environment favourable to their development (article 24).

In Northern Uganda, however, most of the rights enshrined in the charter have been violated. For example, the right to non-discrimination (article 2) was violated, because the people affected by conflict, particularly IDPs, were discriminated against in terms of service delivery and protection. Many people in Northern Uganda lost their lives, so the right to life (article 4) was not assured; the right to free association (article 10) was violated, since IDP camps were restrictive and IDPs were not allowed to travel outside the camps (albeit for their own good); the right to assemble freely with others (article 11) was also denied, since some IDPs and other people outside the camps were restricted from meeting, and in fact often suspected of being rebels or rebel collaborators; freedom of movement and residence (article 12) was violated, since the population was driven out of their homes and asked to live in IDP camps; the right to work (article 15) was denied, since most of the IDPs were unemployed due to absence of job opportunities and the absence of a conducive environment for work; the right to education (article 17) was also violated, since there were no opportunities for school going children to study in most IDP camps.

Further, the right to economic, social and cultural development (article 22) of IDPs was not observed, since the context of conflict and displacement did not favour economic, social and cultural development activities; the right to a general satisfactory environment (article 24) was not upheld either, since living conditions in most of the IDP settlements were deplorable and squalid. Further, although the charter provides that states parties shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick (article 16), this obligation was not fulfilled, as 100,000 deaths are reported to have occurred by 2006 due to preventable diseases (ICG, 2006b).

### **2.2.2 The Guiding Principles on Internal Displacement (1998)**

The Guiding Principles on Internal Displacement address the specific needs of IDPs worldwide. They identify the rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration (Deng, 1999:484). The fact that the principles apply during and after displacement means that the human security principles concerning IDPs go beyond the period of displacement, to the period of resettlement and reintegration, as it usually takes a long time after displacement for former IDPs to regain their capabilities and regain self-sufficiency. Nonetheless, although applauded as a useful reference framework, the principles are, to a great extent, merely a moral code of conduct. The principles are neither a

convention nor law, hence they are not enforceable. Their use is dependent on the good will of national authorities, and their commitment to enact an appropriate legal and/or policy framework to bring into effect these principles (Kalin, 2007).

It should be noted that the intentions of the Guiding Principles (1998), the AU Convention (2009), the Great Lakes Protocol (2006) and Uganda's IDP policy (2004) are complementary and mutually reinforcing in as far as promoting the human security of IDPs is concerned. The guiding principles, the UN, the AU and the GoU make explicit statements regarding the standard of living and quality of life that IDPs should be accorded, meaning that their human security is considered higher, if not at the same level with other forms of security. They all aim at preventing internal displacement in the first place, but also advocate for non-discrimination, respect and observance of the rights and freedom of IDPs, like those of other persons, as enshrined in numerous international human rights instruments, international law and appropriate domestic law (AU, 2009:2; Deng, 1999:484; GoU, 2004a:4).

### **2.2.3 The AU Convention for the Protection of the Rights of IDPs (2009)**

In Africa, governments have realized that recognition of IDPs' human rights and accepting the primary responsibility to protect those rights are essential elements in addressing internal displacement and its devastating effects (IDMC & NRC, 2012:5). This recognition led African countries to the formulation of the African Union Convention for the Protection of the Rights of IDPs in 2009.

In its preamble, the Convention acknowledges the gravity of the situation in which IDPs find themselves, their suffering and their specific vulnerabilities, and how these become sources of continuing instability and tension for African states. It is in this regard that the AU pledges commitment to providing durable solutions to the situations of IDPs by establishing an appropriate legal framework for their protection and assistance (AU, 2009:1). The AU convention acknowledges the lack of a binding African and international legal and institutional framework for the prevention of internal displacement and for the protection and assistance of IDPs, but acknowledges that the present Convention will provide such a framework (AU, 2009:2). The convention builds on the *Guiding Principles on Internal Displacement*, which are recognized globally as a useful framework for the protection and assistance of IDPs (AU, 2009:2).

The AU Convention for the Protection and Assistance of IDPs in Africa is a broad legal framework that seeks to strengthen regional and national measures to prevent or mitigate, prohibit and eliminate root causes of internal displacement; prevent internal displacement, protect and assist IDPs in Africa (AU, 2009:4), as well as provide for durable solutions<sup>38</sup>(The Brookings Institution, 2010:5). In fact, the AU Convention for the Protection and Assistance of IDPs in Africa is the first regional treaty to address the IDP issue comprehensively, from preventing displacement to providing protection and assistance, and supporting durable solutions. The AU Convention (also known as the Kampala Convention) represents a critical new tool for tackling some of the largest and most complex IDP situations in the world: some ten million people are internally displaced across the continent, making up one third of the world's IDP population (Bradley & Aspelt, 2012).

The AU Convention significantly advances the normative framework on internal displacement in several key areas, including: the protection from arbitrary displacement; the responsibilities of the African Union, multinational companies and private security actors; and the right to a remedy for the wrongs associated with displacement. Article 12(3) of the convention, for example, provides that reparations shall be payable for damages incurred when a state merely refrains from protecting and assisting IDPs in the event of a natural disaster. In fact, remedies may be sought by any person affected by displacement, even in cases where the displacement occurs because of natural disasters or for any other reason outside the state's control. This wording suggests that, in addition to IDPs themselves, other groups affected by displacement, such as host and return communities, may also be entitled to redress (Bradley & Aspelt, 2012).

The Convention is an affirmation of the leading role and responsibility of national governments in protecting and assisting IDPs and preventing situations of internal displacement in the region as well as within their individual countries by addressing the phenomenon's root causes (AU, 2009:4). Prior to the enactment of the AU Convention in 2009, IDPs were not protected under international law, but they, in fact, often fell through 'the protection gap' at the domestic level. Although many IDPs remain marginalised and

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<sup>38</sup> The three recommended durable solutions are: (1) sustainable reintegration at the place of origin; (2) sustainable local integration in areas where IDPs take refuge (local integration); and (3) sustainable integration in another part of the country (settlement elsewhere in the country).

vulnerable to human rights violations for extended periods, it is hoped that enactment of the convention will contribute to Africa's overall human security and development, in addition to providing a framework for the prevention of displacement in the first place, and thereafter the protection and assistance given to IDPs. To highlight the high likelihood of success in implementing the convention, thirty-five of the fifty-three Africa countries had already signed the Convention, while eleven had ratified it by April 2012. Nonetheless, the convention has not yet come into force, since it can only do so after fifteen AU member states have ratified or acceded to it (Bradley & Asplet, 2012).

The AU further declared its determination to adopt measures aimed at preventing and putting an end to the phenomenon of internal displacement by eradicating the root causes, especially persistent and recurrent conflicts, as well as addressing displacement caused by natural disasters, which have a devastating impact on human life, peace and stability, security and development (AU, 2009:1). The AU further affirms its primary responsibility and commitment to respect protect and fulfil the rights to which IDPs are entitled, without discrimination of any kind (AU, 2009:2).

As a way of addressing economic as well as other dimensions of human security of IDPs, the AU Convention (2009:5) commits to the promotion of self-reliance and sustainable livelihoods of IDPs. Also, as a mechanism for enacting legal frameworks for protection and assistance of IDPs, the AU Convention (AU, 2009:5-6) commits states parties to incorporate provisions of the Convention and other relevant international instruments and obligations into domestic law by enacting or amending relevant legislation on the protection of, and assistance to IDPs. As an element of legislation, states parties shall designate an authority or body to coordinate IDP-related issues (AU, 2009: 6). Through the Convention, states parties reaffirm that it is the primary responsibility of the states to accord protection and assistance of IDPs (AU, 2009:7), and as such that they shall provide IDPs with adequate basic humanitarian assistance in terms of food, water, shelter, medical care and other health service, sanitation, education and other necessary services (AU, 2009:12).

#### **2.2.4 The Great Lakes Protocol on Protection and Assistance of IDPs (2006)**

*The Great Lakes Protocol on the Protection of and Assistance to IDPs* (2006) was established to provide a legal framework for ensuring the adoption and implementation, by member states, of the *Guiding Principles on Internal Displacement* in the Great Lakes Region. The



protocol was also put in place to ensure legal protection, by member states, of the physical safety and material needs of IDPs in accordance with the *Guiding Principles on Internal Displacement*. Further, the protocol is intended to provide a legal basis for the domestication of the Guiding Principles into national legislation by member states. Lastly, the protocol is intended to commit member states to prevent and eliminate the root causes of displacement (International Conference for the Great Lakes Region [ICGLR], 2006:2).

The Great Lakes Protocol confers upon member states a number of responsibilities, notably: the responsibility to undertake to prevent arbitrary displacement and to eliminate the root causes of displacement; to mitigate, to the extent possible, the consequences of displacement caused by natural disasters and natural causes; to protect the physical and material safety of IDPs during flight, in places of displacement, and upon their return, or resettlement elsewhere within the territory of the State; to assess the needs of IDPs and to assist them with registration and maintenance of a national data base for the registration of IDPs; to designate organs of government responsible for disaster emergency preparedness, and for coordinating protection and assistance to IDPs; to facilitate rapid and unimpeded humanitarian access and assistance to IDPs; to ensure the safety and security of humanitarian personnel in areas of displacement; to safeguard and maintain the civilian and humanitarian character of the protection and location of IDPs in accordance with international guidelines on the separation of armed elements; to adhere to the principles of international humanitarian law and human rights applicable to the protection of IDPs; and to ensure the safe location of IDPs in satisfactory conditions of dignity, hygiene, water, food and shelter, away from areas of armed conflict and danger, and having regard to the special needs of women, children, the vulnerable, and persons with disabilities (ICGLR, 2006:2-4).

The formulation of the Great Lakes Protocol presents an international agreement adopted at a sub-regional level, and makes incorporation of the *Guiding Principles* into domestic law an obligation. This is a very promising way to build consensus on the need to protect IDPs legally and on the content of such protection bottom-up; it could also serve as an example for other regions (Kalin, 2007:4).

#### **2.2.5 The Uganda National Policy for IDPs (2004)**

*Uganda's National Policy for IDPs* was adopted in 2004 to promote the protection of and assistance to IDPs. The policy draws on the *Guiding Principles on Internal Displacement* and

commits the GoU to protect its citizens against arbitrary displacement, to guarantee their rights during displacement, and to promote durable solutions by facilitating their voluntary return, resettlement, integration and re-integration (GoU, 2004b:19-23). The policy also guarantees that IDPs will not be deprived, arbitrarily or compulsorily, of property or any interest in the right over property (GoU, 2004b:24). Further, the policy guarantees food security, shelter, clothing, education, health, as well as water and sanitation for IDPs (GoU, 2004b:24-28). Since the end of hostilities in 2006, over 98% of IDPs in Northern Uganda have returned to their ancestral communities, with a small minority, particularly the old and vulnerable, remaining in IDP camps.

Nonetheless, there remain serious security, humanitarian and human rights problems not only in IDP camps, but also in areas of return and resettlement. These issues include: poor health and sanitation conditions; lack of access to schools and availability of teachers; inadequate and low quality of health facilities; rampant land and property conflicts; high levels of sexual and gender-based violence; and violation of the rights of citizens (IDMC & NRC, 2012).

Nonetheless, the Uganda IDP policy has not fulfilled its intention to promote the human security of the IDPs. Although the GoU has developed and implemented parts of the *National Policy for Internally Displaced Persons* (2004), it has not resulted in any profound changes; it is not clear whether this is a result of a lack of political capacity or the ability to implement policy or to create conditions in which the policy could be effective (The Brookings Institution, 2006:12). Government, and indeed other duty bearers, need to ensure that people affected by conflict are accorded the necessary assistance and that the work of the policy goes beyond areas of internal displacement so as to continue guiding the broader recovery and development initiatives taking place in communities of former IDPs (The Brookings Institution, 2006:12). As an element of human security, therefore, government should show political commitment and demonstrate such commitment to re-prioritising the needs of former IDPs.

Finally, it should become clear that the various elements in the conceptual mapping of the study, that is social inclusion and exclusion; the human needs framework; the human security framework, and the capability approach are all interlinked as they highlight various facets that impact on the level of community participation and the processes involved in conflict

resolution and in peace building. This multi-theoretical framework will provide the researcher with a nuanced lens through which to analyse the findings.

### **2.3 Summary**

The chapter presented the key literature and theoretical frameworks that guided the study. In particular, the chapter provided a link between the literature and the theoretical frameworks used in the study, in addition to establishing linkages to the context in Northern Uganda. In addition, the chapter presented an analysis of some of the major legal and policy frameworks for protection of IDPs. Some of these are national, regional as well as international legal and policy instruments.

The following chapter presents the methodology used to undertake this research.

## **CHAPTER THREE: RESEARCH METHODOLOGY**

### **3 Introduction**

This chapter presents the research questions and design; study area and population; map of the Acholi sub-region; sample size and selection; research instruments; piloting the research instruments; facilitators and interpreters; data collection approach; data cleaning; data verification; qualitative data analysis; research ethics and finally the limitations of this research.

#### **3.1 Research Questions**

This study seeks to answer the following research questions:

1. Who were the major participants and actors in the peace process?
2. What are the capacities, potential and opportunities of community members that will allow them to participate meaningfully in conflict resolution processes?
3. What was the nature and level of community participation in the Northern Uganda conflict resolution processes?
4. How appropriate were the mechanisms for engaging conflict-affected communities?
5. What traditional mechanisms are already in use by the conflict-affected communities?

The following design and methodological considerations are directly linked to answering the research questions in the most appropriate manner.

#### **3.2 Research Design**

A research design is a plan that guides the investigator in the process of collecting, analyzing and interpreting observations (Yin, 2003:21). It is the logical link between the data to be collected and the conclusions to be drawn about the initial questions of the study. This study adopted a purely qualitative exploratory research design. A qualitative exploratory research design has to do with finding out what is happening (exploring phenomena), acquiring new insights, or asking new questions (Robson, 1993:42).

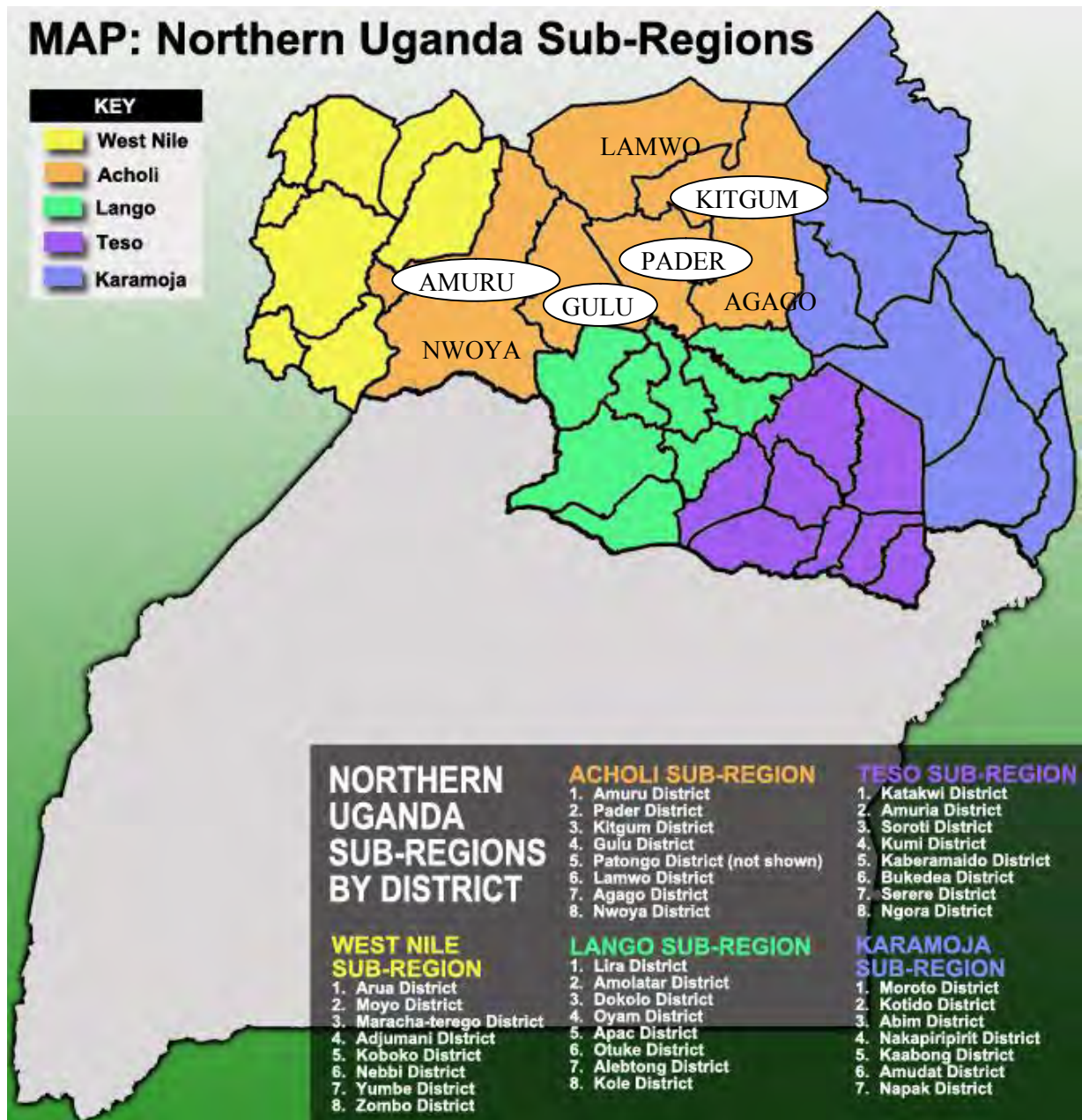
The qualitative exploratory research design was considered appropriate for the study because it satisfactorily enabled the study to describe the Northern Uganda conflict resolution process. As Hollis (1994:17) has argued, a qualitative research design is useful in obtaining descriptive answers on how the study participants perceive the meaning of the various aspects

of the study. In this case, the understanding of the meaning of various events in Northern Uganda during two decades of civil conflict was vital. In addition, the exploratory design was useful in obtaining information from a relatively un-researched area, and in uncovering perceptions about political behaviour and attitudes that it is not possible to quantify (Harrison, 2001:74). Further, the qualitative research design was suitable for exploring the subject matter in as much detail as possible, and thus for achieving 'depth' rather than 'breadth' (Blaxter *et al*, 2006:60). As such, this design was considered appropriate for the study since it focussed on gaining an understanding of the insights that respondents had about the Northern Uganda conflict resolution process.

### **3.3 Study Area and Population**

The area chosen for this study was the Acholi sub-region of Northern Uganda, an area that was extensively devastated by armed conflict for twenty-one years.

Figure 11: Map of Acholi Sub-Region (Study Areas Are Circled)



Source: <http://reliefweb.int/map/uganda/northern-uganda-sub-regions> (accessed 27 May 2010)

At the commencement of the study, the area was composed of four districts (administrative units), namely: Gulu, Kitgum, Pader and Amuru. However, during and shortly after the study period, three new districts were created out of these four districts. Nwoya district was carved out of Amuru; Agago district was carved out of Pader, while Lamwo district was carved out

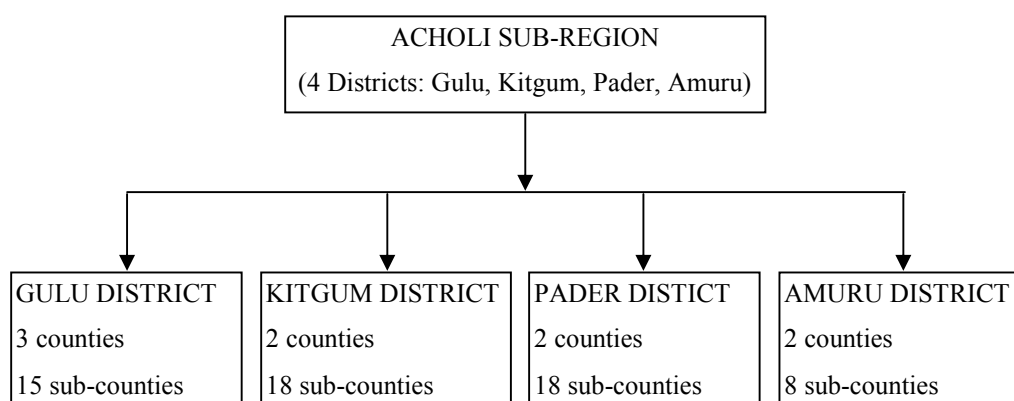
of Kitgum district. For purposes of this study, the original four districts will constitute the area of study.

The main town in Acholi, Gulu, is located 240 kilometres from Kampala, the capital of Uganda. At the end of 2006, the population of Acholi sub-regions was 1,047,800. This population is predominantly rural and is resident in nine (9) counties and fifty-nine (59) sub-counties (Fountain Publishers, 2007). The population in Acholi is represented in the national assembly (parliament) by eleven (11) directly elected members of parliament, seven (7) women members of parliament and one (1) youth representative.

In terms of the economy, the main economic activities in Acholi are agriculture (mainly crop production) and fishing. It should be noted that over 90% of Acholi population lived in IDP camps for more than 21 years. As such, the level of economic activity in the region is very low. This explains the high poverty levels in the sub-region, which was 60.7% for Northern Uganda in 2008 (UBOS, 2009:24-25), and 46% in 2010 (GoU, 2012a:20).

The Acholi sub-region was purposely chosen because it is the sub-region in Northern Uganda that was most affected by the violent conflict that paralyzed the communities for 21 years, leading to displacement of nearly 90% of the local population. The primary respondents for this study were ordinary citizens who participated in Focus Group Discussions (here after referred to as FGDs), plus local leaders, opinion leaders, CSO representatives, cultural leaders and religious leaders who participated in Key Informant (KI) interviews.

**Figure 12: Diagrammatic Structure of the Study Area**



**Table 1: Sample of Sub-Counties in the Study Districts**

<b>District</b>	<b>Sub-County</b>	<b>Total</b>
Amuru	Koch Goma; Lamogi; Pabbo	3
Gulu	Bardege; Bungatira; Laroo; Layibi; Ongako; Unyama	6
Kitgum	Amida; Kitgum Town Council	2
Pader	Atanga; Pader Town Council;	2
<b>Total Sub-counties</b>		<b>13</b>

The thirteen sub-counties were selected using both purposive and simple random sampling techniques; a simple random sample was used to choose the specific study areas from the four districts (see Table 1:106). The non-probability (purposive) sampling techniques used were snowball and quota sampling. After selection of the sub-counties, FGD participants were selected using the quota sampling technique while KI interview respondents were selected using the snowball technique.

### **3.4 Sample Size and Selection**

Sampling is the process of choosing a smaller, more manageable number of people to take part in research (Dawson, 2002:47). The study used mostly purposive non-probability sampling with random probability sampling used where necessary. These techniques were used to identify KIs and FGD participants. In particular, the snowball technique was critical, since respondents with the relevant information were generally unknown or were hard-to-reach (Strydom & Delport, cited in De Vos, 2002:336).

The purposive sampling technique was guided by various factors: emphasis was placed on districts where most LRA atrocities were committed; districts that hosted the highest number of IDPs during the conflict; access to the local population as determined by the level of settlement of the returning IDPs; the district that is home to the LRA leader; districts that still hosted IDPs during the study period; the location of critical KIs; and the accessibility to the district and sub-counties in terms of distance.

The snowball and quota sampling techniques were used to select the participants that had played a more direct role in the peacemaking process. This involved identifying an individual (or organization) that had participated in the peace process. The first respondent helped in identifying the next, and so on. The snowball technique was applied until the required quota of respondents was reached. Notwithstanding the small sample of this study, as in other



qualitative studies, the sample size provided deeper insights and understanding of the conflict in Northern Uganda.

### 3.4.1 Selection of Key Informants

Twenty-six (26) KIs were purposely selected. They included political leaders, religious leaders, cultural leaders, opinion leaders, women leaders, youth leaders, as well as CSO representatives. The detailed sample is summarised in **Table 3:108**. An effort was made to ensure the representation of women and youth.

The rationale for the above mix of KIs from key categories of the community leaders was that they were the most suitable respondents for this study because they were information rich. In addition, they represented a wide range of perspectives due to their diverse roles and leadership responsibilities in Acholi, and they were well informed about the issues affecting their local communities, including their aspirations. Further, these respondents could have potentially had a chance to participate in the Northern Uganda conflict resolution process. However, to balance the information obtained from them, FGD meetings with ordinary community members were also held.

**Table 2: Sample of Key Informants**

District	CSOs	Religious Leaders	Political Leaders	Cultural Leaders	Opinion Leaders	Civil Servants	Total
Gulu	8	1		2	1	2	14
Amuru	2	-	3	-	-	-	5
Kitgum	1	1			2	-	4
Pader	3	-	-	-	-	-	3
<b>Total</b>	<b>14</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>26</b>

Please note that Gulu district had the majority number of KIs because it was the epicentre of the conflict, and because it also hosts the offices of the majority of the INGOs, NGOs and CSOs operating in Northern Uganda (including central government representatives, media houses, the private sector, religious and cultural institutions). Gulu is also the regional commercial centre and capital. It was by default, therefore, that most respondents were found in Gulu district.

### 3.4.2 Selection of Focus Group Participants

Thirteen (13) FGDs were held. The number of FGDs was purposely determined to ensure that each of the four districts in Acholi-Sub-region had at least two FGDs. The FGD participants were selected through snowball and simple random sampling methods. In total, 169 respondents participated in the FGDs, divided fairly among the youth, women, men and elders. The 13 FGDs were deemed adequate since this approach was aimed at complementing and triangulating data collected through in-depth face-to-face interviews with KIs. FGD participants were ordinary local community members, most of whom did not hold any leadership positions in their community. FGD participants were chosen using the snowball technique. The detailed sample is summarised in **Table 3:108**.

**Table 3: Sample of Focus Group Discussion (FGD) Participants**

District	Sub-county	Community / Village	Females	Males	Total
Amuru	Lamogi	Pagak	04	06	10
	Koch Goma	Kal “A” II	04	05	09
	Pabbo	Pabbo	02	09	11
Gulu	Bardege	Airfield Ward	03	08	11
	Ongako	Kal Central	05	11	16
	Unyama	Unyama IDP Camp	03	09	12
	Bungatira	Coope	06	03	09
	Laroo	Bwona-Gweno Ariaga	05	04	09
	Layibi	Layibi “A” & “B”	03	07	10
Kitgum	Town Council	Ocettoke	09	07	16
	Amida	Akworo Te-cwa	04	09	13
Pader	Town Council	Kiteng	06	08	14
	Atanga	Kal Central	19	10	29
<b>Total</b>			<b>73</b>	<b>96</b>	<b>169</b>

Please note that Gulu district had the majority number of focus groups because it was the epicentre of the conflict and also hosted majority of the IDP camps in Northern Uganda. Also, the district experienced peace any other district in the North, so the population which had returned to their areas of origin was much higher than that in other districts. It was by default, therefore, that most FGD interviews were held in Gulu district.

### 3.5 Research Instruments

Two main research instruments were used to collect data for the study, namely the KI interview schedule and Focus Group Discussion guide. The choice of instruments was informed by the fact that this study was predominantly qualitative and exploratory in nature.

### 3.5.1 Key Informant Interview Schedule

An interview guide was designed for the KIs.<sup>39</sup> The schedule had five (5) sections (**see APPENDIX 1: Interview Guide:242**). The interview schedule consisted of open-ended questions to the greatest extent possible in order to elicit spontaneous responses and maximize the respondents' knowledge. This approach enabled respondents to communicate their underlying attitudes, beliefs and values (Fielding & Thomas, 2005:126).

### 3.5.2 Focus Group Discussion Guide

In a FGD, a number of people come together to discuss a certain issue for the purpose of research (Dawson, 2002:76). The group interaction consisted of verbal and non-verbal communication and an interplay of perceptions and opinions that stimulated discussion without necessarily modifying or changing the ideas and opinions of participating individuals (Schurink *et al*, in De Vos, 1998:314). FGDs enabled the participants to express different opinions and experiences, hence allowing the researcher to compare and contrast these responses with the KI interview respondents. The FGD guide (**see APPENDIX 2: Focus Group Discussion (FGD) Guide:244**) was developed in line with the research questions and was used to elicit information from ordinary members of the community in the thirteen selected sub-counties (**see Table 1:106**). Interpreters used the FGD guide to moderate FGDs.

## 3.6 Piloting the Research Instruments

The KI interview schedule was administered to ten respondents from sub-counties that were not part of the area of study. The FGD guide was piloted on two FGDs. The purpose of piloting the research instruments was to identify vagueness and ambiguities in the design of the research instruments and to gain insight into how the actual study respondents might understand and react to the questions. Based on the outcome of the piloting, the researcher reviewed and revised the research instruments. These revisions included the removal of some questions and the inclusion of new ones in the research tools. Further, the pilot test led to the refinement, re-arrangement and re-ordering of questions to ensure a more logical and clearer flow of the data collection and analysis process.

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<sup>39</sup> Key informants are individuals who are targeted for data collection because their information will provide an accurate and valuable perspective on the setting as well as lead to other sources of information (Creswell, 1998, cited by <http://www.setda.org/web/guest/glossary> on 28 November 2009).

Piloting of research instruments is strongly recommended by scholars such as Druckman (2005:158). During the pre-test, aspects such as average time taken with respondents, appropriateness of questions or topics, and sensitivity of topics or questions were considered. As a result, the pre-test enabled the researcher to identify questions or topics that respondents did not understand well, struggled with or did not answer accurately. In addition, the pre-test helped in assessing the appropriateness of the data collection methods, an aspect that scholars such as Druckman (2005:160) have also advocated. Following the pre-tests, responses were analysed and the research tools modified appropriately.

### **3.6.1 Establishing Contact with Key Informants**

Informal discussions were held with KIs in order to brief them about the purpose of the research and to set up appointments for in-depth face-to-face interviews with them at a later stage. This process enabled the researcher to identify and establish contact with respondents deemed most suitable for the study. Advance contacts with the KIs enabled the building of trust between the researcher and the participants, which contribute to a smooth interview process (Shenton, 2004:65). The KIs were adequately prepared for the interviews since they had been given ample notice prior to the interview. The researcher carried out all twenty-six interviews.

### **3.6.2 Mobilizing FGD Participants**

FGD participants were identified using the snowball sampling method. This process was facilitated by four community guides, one from each of the four districts. This process was undertaken well in advance of the FGD interviews and appointments set up with the respective focus groups. FGDs were held on dates and at venues agreed by the participants themselves. The FGDs were held, as much as possible, at venues that were deemed neutral and known to respondents, such as school premises, community centres, government offices, and health centres.

### **3.7 Facilitators and Interpreters**

The researcher identified, selected and trained three qualified facilitators and interpreters who were assigned to work as interpreters and facilitators during FGDs. Alongside the researcher, the facilitators recorded and transcribed qualitative data obtained during FGDs.

### 3.7.1 Profile of Facilitators and Interpreters

The facilitators identified held a minimum qualification of a Bachelor's Degree, although preference was given to current students of Peace and Conflict Studies. The facilitators were familiar with basic qualitative research techniques, particularly interviewing. They also had some work and/or research experience in Northern Uganda, and Acholi in particular. They had very good knowledge of Luo, the Acholi local language, at the level of translation and interpretation. Preference was given to those whose first language was Luo and who could speak, read and write it. Also, facilitators had to demonstrate an ability and willingness to work for extended hours and days in places still perceived to be insecure.

**Table 4: Profile of Facilitators and Interpreters**

Research Assistant	Gender	Age	Qualification	Language(s) Spoken	No of FGDs moderated
RA 1-TO	M	37	B (SWSA); PGD (PPM)	Luo	5
RA 2-JO	M	32	B.A (Arts)	Luo	4
RA 3-PO	M	35	B.A (SS)	Luo	4
Researcher	M	38	PhD Candidate	English	Present at all FGDs

#### **Legend**

B (SWSA): Bachelor of Social Work and Social Administration

PGD (PPM): Post-Graduate Diploma in Project Planning and Management

B.A (Arts): Bachelor of Arts

B.A (SS): Bachelor of Arts with Social Sciences

Please note that all facilitators were male for a number of reasons: because their work was predominantly to moderate FGDs, there was a need for cultural sensitivity due to bias against the female gender by the local population. Also, most FDGs were held in rural areas where there is a low appreciation of female researchers. In addition, due to the perceived insecurity prevalent in Acholi at the time of the field research, few female researchers were willing to spend substantial amount of their time in remote areas, with limited amenities. Although the researcher made an effort to identify female facilitators from the research areas, those who were willing to work under these conditions had very limited experience and skills of interviewing and moderating FGDs. Nonetheless, the researcher believes that the presence of female facilitators would have made a difference.

### **3.7.2 Training of Facilitators and Interpreters**

The facilitators were trained in basic qualitative research skills (qualitative data collection and analysis) by the researcher himself in order to ensure a clear understanding of the subject matter, the key objectives of the research, the research questions, and the techniques for interviewing and recording responses from the FGDs. The training ensured that facilitators became conversant with the entire research undertaking and that they gained confidence to carry out their tasks without major errors. In particular, the training for facilitators focused on moderating FGDs, recording responses, using voice recorders and transcribing recorded data.

## **3.8 Data Collection Approach**

Data for this study were collected using two key qualitative methods: in-depth interviewing and FGDs. While the researcher conducted all the face-to-face in-depth KI interviews, the facilitators moderated the FGD interviews mainly because these were held in Luo, a local language in which that the researcher was not conversant.

### **3.8.1 Data Collection using the Key Informant Interview Schedule**

Most KI interviews were held at offices or homes of the respondents, although some were held at private places, such as hotels, because these proved more centrally located and offered a more quiet and private environment for an extensive interview. The locations were always mutually agreed between the researcher and respondents.

The researcher himself conducted the interviews with all the twenty-six (26) KIs. To ensure a good flow of the interviews, one facilitator took notes during each interview. This method proved to be very useful, since a few respondents had initially declined to have their responses tape-recorded, fearing that some of their opinions would not be ‘politically’ correct. However, following satisfactory explanation of the ethical code of conduct guiding the researcher, all respondents agreed to have their responses tape-recorded. This provided a back-up for the hand-written material. In addition, the researcher endeavoured to write down critical issues during interviews. The researcher also transcribed and analyzed qualitative data from the KI interviews. As a result of the need for clarification, concrete information or second opinion as a result of gaps realized during and after preliminary data analysis, some face-to-face meetings and follow-up telephone interviews with KIs were done where necessary.

One of the major problems experienced during the KI interview process was the failure of the respondents to keep their appointment times. The researcher made phone calls to give respondents ‘gentle reminders’ about the scheduled meetings, but also to offer to move the interview to another more convenient place, if the respondent deemed it necessary.

### **3.8.2 Data Collection through Focus Group Discussions**

Thirteen (13) FGDs, at least two (2) in each district, were held. The smallest FGD was made up of nine participants and the largest was composed of 29 participants.<sup>40</sup> FGDs lasted approximately one-and-a-half to two hours (90-120 minutes). FGDs involved ordinary community member, with the exception of one local leader in each FGD. During the FGDs, the objectives of the study were elaborated in simple and clear terms, hence creating a free atmosphere. Because of the language barrier of the researcher, FGDs were facilitated by qualified interpreters (see 3.7.1 Profile of Facilitators and Interpreters:111 and Table 4:111). The moderators made efforts to solicit individual contributions from all FGD participants, but at the end, the group views were noted down. The moderators also probed for details whenever it was deemed necessary.

For each FGD, an effort was made to have an equal representation of women, elders, youth and men from that community. FGD participants were chosen using the snowball method. During FGD interviews, one local leader attended as an observer. Not only was this because local leaders were instrumental in community mobilisation and participation in the study, but it was necessitated by the prevailing political and security situation in the area. During the period of the study, the study area had just started to recover from more than two decades of violent conflict and displacement, so the context was still characterized by overt security operations, mass return and resettlement for former IDPs, and political mobilisation in preparation for the general elections that were to take place between February and March 2011. Nonetheless, the presence of local leaders during the FGDs did not appear to influence the level of engagement between the research team and respondents. The presence of local leaders did not prevent some participants from making critical statements. On the contrary, their presence gave legitimacy to the research process and gave the respondents the

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<sup>40</sup> Although the number of participants in many focus group meetings exceeded what is recommended, the researcher had difficulty controlling the over-enthusiastic community members who expressed the desire to contribute to a discussion regarding an issue affecting the entire Northern Uganda.

confidence to participate in the study without worrying about any possible negative ramifications.

Under the guidance of the researcher, the facilitators transcribed the data from the FGDs, after which the researcher himself did the analysis. With the consent of the FGD participants, all interviews were tape-recorded and one of the two facilitators attached to each group took notes to complement recorded information and also to provide backup data, just in case there was to be loss of recorded data. The researcher was present at all the FGDs.

### **3.8.3 Secondary Data Collection**

The researcher undertook an extensive review of secondary sources of information, particularly the review of relevant documents that were critical for answering the research question and sub-questions. Specifically, the researcher reviewed several documents related to the Northern Uganda conflict resolution process, including the five protocols signed during the Juba peace process; the final peace agreement resulting from the Juba peace process; and the PRDP document. In addition, other reference documents pertinent to the study were reviewed, particularly academic journals, documents analysing the failures and successes of peace processes around the world, and other relevant publications addressing the issue of community participation in conflict resolution processes.

### **3.8.4 Language Used During Data Collection**

All data collection tools were written in English. The FGD interviews were conducted in Luo, the dominant local language in Acholi, in order to maximize participation of respondents. Data from FGDs were recorded and transcribed in English by the facilitators. The KI interviews were conducted in English, and information was recorded and transcribed in English by the researcher himself.

## **3.9 Data Cleaning and Editing**

During data collection, data editing was done to ensure that data gaps were identified and filled before the research team left the field. On-going editing allowed the researcher and facilitators to identify areas for clarification during subsequent interviews. At the end of the field-based research, data verification was undertaken. These processes are recognised and recommended by Shenton (2004) and Van Maanen (1983).



### **3.10 Data Verification**

Data verification is a key aspect of the research process. It contributes significantly to the level of trust that readers will have in the research. Data verification was done according to Lincoln and Guba's (1985) data verification framework, which includes four key criteria that are widely accepted as a measure for trustworthiness of data in qualitative research: credibility; transferability; dependability; and conformability. These criteria are also supported by Shenton (2004:63). Using these criteria, trustworthiness of qualitative data was ensured through the following ways:

- **Credibility:**

The extent to which the data measures or tests what it is actually intended (Lincoln & Guba, 1985) was ensured by strict adherence to recommended procedures of conducting focus group discussions and maintaining appropriate size and composition. The researcher adopted established qualitative research methods and data gathering techniques such as KI interviews and FGDs, which are appropriate for such a qualitative study (Shenton, 2004:64; Guba, 1981; Merriam, 1998). In addition, the researcher recorded accurately, and in sufficient detail, data obtained from study participants (both focus group participants and key informants). Data collection tools (the FGD guide and KI schedule) were pretested to ensure appropriateness of questions (see 3.6 Piloting the Research Instruments:109). To ensure that participants were honest, the researcher ensured that FGDs involved only those who were willing to take part and prepared to offer data freely. FGD participants were encouraged to be frank from the outset of each FGD. Rapport was always established in the opening of the FGDs.

Before undertaking the study, the researcher undertook preliminary contact and engagement with the study participants, particularly the KIs since these were purposely selected because of their status in society and because they were information rich. This prolonged engagement enabled the building of trust and confidence between the researcher and the study participants ahead of the study (Lincoln & Guba, 1985; Earlandson, 1993). Also, the researcher gained a better understanding of some of the KIs that would later become key participants in the study. The researcher, nonetheless, maintained a professional relationship with the would-be study participants and maintained awareness of the potential for undue influence as a result of the sustained engagement (Lincoln & Guba, 1985; Earlandson, 1993).

The researcher selected the FGD participants using the snowball sampling method in part to avoid ‘researcher bias’ and other influences (Guba, 1981; Earlandson, 1993; Preece, 1994). Further, random selection of FGD participants was the best strategy for selecting FGD participants for this kind of study as there was need to obtain as many varied and diverse opinions as possible from ordinary members from conflict-affected communities in Northern Uganda and to ensure that the study participants were truly representative of the study population (Preece, 1994).

The researcher and the FGD facilitators made the effort to check the accuracy of the data obtained from KIs and FGD participants, where possible (Lincoln & Guba, 1985). In addition, the researcher reviewed other studies undertaken in Northern Uganda and other contexts with a similar profile (Silverman, 2000).

- **Transferability:**

Transferability refers to the extent to which the qualitative study findings can be understood within the context of the particular characteristics of the geographical area in which the fieldwork was carried out (Lincoln & Guba, 1985). To address this criterion, the area of study and procedures of data collection have been documented in this chapter in order to make it easy for future studies to compare qualitative findings of this study with those of studies in similar contexts. In particular, the study findings may be applied to similar contexts in Uganda, particularly in those areas affected by prolonged violent conflict (Merriam, 1998). In the same vein, findings of this study (in chapter four) are discussed in relation to other studies on community participation and conflict resolution in Africa, and other parts of the world.

- **Dependability:**

This refers to the extent to which use of the same methods in the same context with the same participants would yield similar results (Lincoln & Guba, 1985). In-depth description of the research methodology is one of the strategies recommended and thus used by the researcher to ensure that this study can be repeated and to allow for the integrity of research results.

- **Confirmability:**

Confirmability refers to objectivity and the extent to which findings are free from the intrusion of the researcher’s biases (Lincoln & Guba, 1985). Here steps must be taken to help ensure as far as possible that the work’s findings are the result of the experiences and ideas of

the informants, rather than the characteristics and preferences of the researcher. The strategies recommended and thus used in this study for ensuring confirmability included: triangulation to reduce effect of investigator bias, admission of researcher's beliefs and assumptions (reflexivity), recognition of shortcomings in study's methods and their potential effects, and in-depth methodological description. The researcher undertook KI interviewing and focus group discussions as a strategy for triangulating data obtained, and as a means of minimizing the limitations of using a single method, in addition to exploiting the benefits of both techniques (Guba, 1981; Brewer & Hunter, 1989). In addition, the researcher undertook a literature review, largely guided by the conceptual map of the study (see 2 Introduction:47 & 2.1 Theoretical Models and Frameworks:48). Also, some selected documents frequently referred to by KIs were reviewed to validate some of their critical responses.

Notwithstanding the difficulty of maintaining confirmability of the study findings, the researcher maintained utmost objectivity during the study. The study results are exclusively a result of the ideas and experiences of study respondents, and not a preference of the researcher (Patton, 1990).

### **3.11 Qualitative Data Analysis**

Qualitative data analysis (QDA) is a process used to identify themes and to construct hypotheses (propositional statements), as they are suggested by data, and an attempt to demonstrate support for those themes and hypotheses (Tesch, 1990). Data analysis involved systematically and rigorously identifying themes, concepts, categories and wider patterns that emerged in relation to the study objectives, research question and sub-questions.

Before data collection, tentative themes were identified, i.e. those given in the research question and tentative code categories were assigned based on the research question. During data collection, some of these themes were confirmed and new ones were formulated. After data collection, information on the code categories was assembled together, hence transforming the data into some form of explanation.

Specifically, the following key steps and procedures in QDA were followed as recommended by Tesch (cited in De Vos, 1998:43-344):

- FGD interviews were tape-recorded and transcribed by the facilitators/interpreters

- The researcher thoroughly read through all the transcripts and got a clear sense of the data
- One transcript was selected and taken at a time and analysed critically to inform the themes and categories emerging from the data obtained
- The researcher generated topics, listed them and clustered them into related topics
- Using the list of topics, the researcher developed colour code categories
- The researcher started searching for meanings from each transcript, labelling these meanings as themes emerged, and at the same time progressively identified categories and sub-categories
- The researcher crystallized the categories above to ensure that they were mutually exclusive
- The step above was followed by development of a framework of themes, categories and sub-categories (based on research questions), which adequately captured all the data collected
- The researcher made sure that the major themes and sub-themes generated were logically linked to objectives; these themes and sub-themes were used as the guideline for integrating results (actual quotes) and integrating them with already available literature
- To ensure in-depth analysis, themes and categories from KI interview data were identified independently from FGD data, and these were later merged to form an integrated (composite) analysis framework (see **Table 7:130**).

### 3.11.1 Triangulation of Information

Triangulation<sup>41</sup> of information was done in order to improve the reliability and richness of the information gathered, and to reduce researcher bias. The use of multiple methods and sources of evidence was helpful in ensuring accurate information. Yin (2003) asserts that triangulation presents a number of advantages, most notably because the use of multiple sources enables the convergence of different lines of inquiry (Patton, 1990; Shenton, 2004; Guba, 1981). In this respect, the information collected through in-depth face-to-face KI

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<sup>41</sup> Triangulation in research terms usually means that researchers use different sets of data, different types of analyses, and/or different theoretical perspectives to study one particular phenomenon. These different points of view are then studied so as to situate the phenomenon and locate it for the researcher and reader alike (Deniz, 1978, accessed from <http://www.nova.edu/ssss/QR/QR3-3/plumb.html> on 28 November 2009).

interviews, plus data collected through FGDs were linked together to arrive at solid conclusions of the validity of the information obtained.

### **3.11.2 Quality Control and Assurance**

In order to come up with accurate findings and informed conclusions and recommendations, comprehensive training was given to the facilitators. Among others, emphasis was put on how to communicate with and relate to people affected by armed conflict, plus other general principles and standards of the research process. Facilitators were proficient in both English and Luo, the local language spoken in Acholi. This was necessary for them to communicate effectively with the study respondents, including those who were illiterate or semi-literate.

In addition, other steps were taken to reduce threats to accuracy and completeness of data. These included tape-recording and transcribing both the KI interviews and FGDs. Also, the information obtained from the small sample of KIs was validated and triangulated with information from FGD participants. This approach has been strongly recommended by scholars such as Gilbert (2005:208) and Burns (2000:419).

### **3.12 Research Ethics**

Ethics and ethical conduct remains at the centre of social science research and other research discourses. According to Strydom & Delport (cited in De Vos, 2002:63), ethics is a set of moral principles that are suggested by an individual or group, are subsequently widely accepted, and offer rules and behavioural expectations about the most correct conduct towards experimental subjects and respondents, employers, sponsors, other researchers, research assistants and students. Ethical guidelines also serve as standards and as the basis on which each researcher ought to evaluate his own conduct.

Various authors have identified a number of ethical issues, but those in common among most of the authors are: confidentiality; non-deception of the respondents; plagiarism; doing no harm; data analysis and writing; actions and competence of the researcher; and informed consent, i.e. voluntary participation of respondents. All of these issues were considered in this study. Moreover, during this study, research was conducted in accordance with the principles guiding research, as proposed by Bulmer (2005:49-50). These principles include the following.

- **Informed Consent**

Respondents were informed that they had been selected to participate in the study because of their positions in society, and as members of their community, and because of their knowledge of issues related to the Northern Uganda conflict resolution process. They were further informed that, in selecting them, the researcher did not have prior knowledge about them as individuals or as members of their community. It was highlighted that the research design involved snowball and quota sampling, and that this implied that the participants had been chosen randomly. KIs were informed that they were selected purposely because they were the most suitable respondents for this study because of their roles in society, and because they were deemed to be well informed about the research topic. Respondents' consent was sought prior to their participation in the study. Respondents were informed that they were free to refrain from answering any question put before them, or to withdraw from the entire interview all-together (Shenton, 2004:66-67). Respondents' decisions were thus based on adequate information concerning the nature and purpose of this study. Interviews commenced when respondents indicated their willingness to participate in the study.

- **Confidentiality**

All data were safeguarded and kept confidential. Identities of respondents were protected. Codes were used to connect interviews and respondents. Express consent was sought from a respondent whose contribution was to be used verbatim or where it was likely that their contribution would be published. The research team ensured maximum respect for respondents' right to privacy. Respondents were met at neutral places or locations of their choice. During FGD and KI interviews, the researcher sought and obtained the consent of respondents before using devices such as voice recorders.

- **Plagiarism**

The researcher took the utmost care to acknowledge various authors or sources of information used during the study. This was done through proper citation in line with established academic procedure. The researcher avoided any form of plagiarism.

- **The 'Do No Harm' Principle (Anderson, 1999)**

To the best knowledge of the researcher, the research process did not, in any way, intentionally or unintentionally, produce negative results that could have harmed respondents

and/or their communities. The researcher ensured that no question posed any risk or threat to any respondent.

- **Deception of Participants**

The researcher did not deliberately misrepresent the facts in order to make other people, especially study participants, believe what was not true. This is a critical principle also advocated by Loewenberg & Dolgoff (cited in De Vos, 1998:27). The researcher did not withhold information or offer incorrect information in order to solicit the participation of subjects when they would otherwise have refused to participate in the study.

- **Data Analysis and Report Writing**

The researcher, and indeed the facilitators, maintained utmost objectivity during data transcription, data analysis and report writing. The data analyzed was that which was collected from the study respondents, and was not falsified or changed in any way. Data analysis was done in such a way that it did not change the meaning intended by the respondents. In addition, limitations related to the study sample and design have been mentioned (see 3.13 Limitations of the Study:121).

- **Actions and Competence of the Researchers**

All the people involved in undertaking the research had the minimum qualifications required to conduct the study. The principal researcher was a PhD candidate under the guidance of a senior academic supervisor. All the facilitators were University graduates in different social science subjects, had prior work or research experience in Northern Uganda, and also had a very good command of both English and Luo, the local language used in Acholi. They were mature, modestly dressed and naturally related with the respondents in their community.

- **Publishing Practice**

For any publication resulting from this research, due credit will be given to individuals and organizations that have significantly contributed to the study.

### **3.13 Limitations of the Study**

There is no study that can be concluded successfully without any limitations. As expected, therefore, this study had some limitations, ranging from the research design to data collection and analysis, and including the research methodology, and the researcher himself. These

limitations, and the ways in which they were mitigated to protect the research findings, are discussed below.

### **3.13.1 Limitations Related to the Research Design**

The main limitation of this study is associated with qualitative exploratory research design in general. This had implications for time and financial costs, since qualitative data collection is laborious and expensive in terms of the time taken to interview a reasonable number of respondents, the time and costs involved in travelling to the study sites in remote areas, and the cost of materials used in the research process. In particular, the objective of obtaining a qualitative understanding of the reasons for human actions, beliefs and attitudes can be challenging to achieve. Obtaining such qualitative data required tact and skill in the process of exploring in-depth information related to the research topic. In this regard, the research quality is heavily dependent on the individual skills of the researcher.

Specifically in the post-conflict context in Northern Uganda, some of the information sought tended to invoke strong emotions and war memories of some respondents. Careful thought and planning was needed in order to ensure that the results obtained were as accurate as possible. Nevertheless, the researcher allocated adequate time for the study, trained facilitators adequately, planned for travel and waiting time, and also dealt professionally with any emotional situations of respondents resulting from relatively sensitive questions, although this was uncommon.

### **3.13.2 Limitations Related to the Research Methodology**

Although the study sample was heterogeneous and included elite and ordinary community members, this sampling frame did not allow the researcher to generalize the findings to the general population, partly because the sample of KIs and FGD participants was small. Also, the sample was designed to be representative of the districts under study, not the whole of Northern Uganda – since only the Acholi districts were included in the study.

### **3.13.3 Limitations Related to Data Collection**

Balancing the size of the focus group and maintaining rapport with the study area community members was a challenge for the FGD moderator(s). In some study areas, community members were so eager to participate in the FGDs that large numbers of people turned up wanting to participate in the FGD (see 3.8.2 Data Collection through Focus Group



Discussions:113). The research team often laboured to explain that only a limited number of participants were required. One way that this was resolved was to work alongside area local leaders to select the FGD participants. The local leaders were briefed in advance of the requirements for community members to be part of the FGD. This included issues of representation of interest groups, such as women, youth, formerly abducted people, former rebels, and persons with disability, among others.

The main limitation related to data collection was the fact that data were collected from a few individuals, which means that it may not be correct if the findings are generalized to the larger population. The researcher also noticed that some of the information obtained from elite respondents might not be reliable. Some of this information was also impossible to substantiate.

The use of recording devices (e.g. tape/voice recorders) created some discomfort among some of the respondents during the FGDs until the researcher re-stated the code of ethics guiding the research. In addition, it is possible that participants' responses were influenced, in part, by inaccurate recall, social desirability<sup>42</sup> and concerns over their safety in areas recovering from violent conflict.

The other limitation was the delay in the arrival of respondents at agreed venues, and the location of respondents who were based in remote and inaccessible areas. However, as a mitigation measure, the researcher allocated adequate time to the research process and ensured a good time management plan. Also, the researcher and the facilitators used the waiting time to continuously review data that was already collected, so the delayed arrival of respondents did not significantly affect the research schedule.

#### **3.13.4 Limitations Related to Data Analysis**

The volume of data, an inherent limitation in qualitative data, made transcription, interpretation and analysis time-consuming. The diversity of the sample brought with it a diversity of opinion and, therefore, complexity in data analysis. The study was conducted in

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<sup>42</sup> Social desirability bias is a term used in scientific research to describe the tendency of respondents to reply in a manner that will be viewed favourably by others. This will generally take the form of over-reporting good behaviour or under-reporting bad behaviour (Donaldson & Grant-Vallone, 2002).

an area where the researcher was not familiar with the local language, and hence relied on facilitators to moderate the FGDs in Luo and to transcribe the data in English; this may have made data transcription difficult and subjective. As a result, it is possible that there was interpretation bias. It is possible that the opinions and judgments of the interpreters could have influenced the results, as they transcribed the data in English. However, the level of training for FGD facilitators, the use of anonymous interviews, the emphasis on confidentiality, the supervision of FGD facilitators and quality control were all designed to reduce biases and errors.

As a mitigation measure, the researcher implored the facilitators to record and transcribe the data as strictly, as accurately and as verbatim as possible so as to limit subjectivity and also minimize bias. The researcher further adhered to the data analysis and verification framework (see 3.10 Data Verification:115 & 3.11 Qualitative Data Analysis:117) as a means of leading to reliable data and conclusions. Themes and categories generated from FGD data were compared with those from KI interview data. The researcher found that there was a logical connectedness between the two.

### **3.13.5 Limitations Related to the Researcher**

The major limitation related to the researcher was that he was not conversant with Luo, the local language used in Acholi. As such, language was a barrier to the researcher's ability to relate personally to the FGD respondents. In addition, he was unable to facilitate and moderate the FGDs. Accordingly, he relied on the ability of the facilitators to record and transcribe, accurately and adequately, the qualitative data from FGDs. Nonetheless, the level of education, work and research experience and other personal qualities of the facilitators, coupled with the training they had received prior to participating in the study ensured that they played their role satisfactorily.

### **3.14 Summary**

The research methodology presented here provides a logical basis for data collection, presentation, analysis and discussion of the findings from the study. The study adopted a purely qualitative approach, and used a qualitative exploratory design. During the study, data was collected through FGD interviews and face-to-face KI interviews, which allowed triangulation, corroboration and integration of the data obtained from respondents.

The following chapter presents and discusses the study findings, and also provides a brief context of Acholi sub-region where the study was undertaken.

## **CHAPTER FOUR: PRESENTATION AND DISCUSSION OF FINDINGS**

### **4 Introduction**

This chapter will present the context of the Acholi sub-region; the frameworks for discussing the study findings; the responses of the study participants in relation to previous research done; and finally an overview of the findings in relation to the conceptual mapping of the study. The profiles of respondents in the study have already been presented in Chapter two (see **Table 2:107 & Table 3:108**).

#### **4.1 Acholi Sub-Region: The Study Context**

This study was conducted in Gulu, Kitgum, Pader and Amuru districts of the Acholi sub-region of Northern Uganda between May 2010 and April 2011. During this period, there was a relative sense of security and stability among the population, compared with the violence experienced in that sub-region for more than two decades preceding this study.

By the time of the study, more than 85% of former IDPs had returned to their places of origin, and were already trying to rebuild their lives after more than two decades of displacement. Community members were engaging in agriculture and other livelihood activities, plus other socio-cultural activities aimed at reviving their culture. The major state institutions, particularly the security agencies, the public servants and the extension workers (health workers, agricultural officials, vets, and teachers) were present in the communities.

During the time of this study, it was still evident that the respondents and the population in general were still transitioning from war to peace. Many were optimistic about the future and seemed focused on rebuilding their lives, renewing their livelihood activities and advocating broadly for transitional justice, with an emphasis on accountability. At the same time, respondents were concerned about challenges they were facing, particularly: the rampant land conflicts; domestic violence associated with the gender dynamics of the conflict; the changed gender roles during and after the war; the failure to realize a tangible peace dividend; and inadequate assistance and transitional justice for the victims<sup>43</sup> of war, particularly the absence of reparations and compensation.

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<sup>43</sup> The UN defines victims as “persons who individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that constitute gross violations of international human rights law, or serious violations of

Also, respondents were concerned about the inconclusive reintegration of ex-combatants and ex-servicemen, plus the threat of unexploded ordinances (UXOs) and explosive remnants of war (ERWs). This situation is typical of a post-conflict society, and it will take significant effort by all stakeholders – state and non-state actors (NSAs) – to address these issues. Local, cultural, religious and political leaders, as well as security officials and ordinary people, were very cooperative and helpful during the research process, in part because they felt that this study might contribute to post-conflict healing.

#### **4.2 The Frameworks for Discussing the Study Findings**

The frameworks for discussing the study findings have been developed systematically. **Table 5:128** is a Framework developed after doing a first level analysis of the Focus Group Discussion data; **Table 6:129** is a Framework developed after doing a first level analysis of the data gained from the Key Informants, and **Table 7:130** is a composite Framework that sets out the themes and categories generated from both sets of data (Focus Groups and individual Key Informant Data).

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international humanitarian law. Where appropriate, and in accordance with domestic law, the term ‘victim’ also includes the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization” (United Nations [UN], 2010:3).

### 4.3 Data Analysis Framework for Focus Group Data

**Table 5: Themes and Categories Generated from FGD Data**

Themes	Categories
1. Major participants and actors	<ul style="list-style-type: none"><li>▪ Categories of participants</li><li>▪ Selection of participants</li><li>▪ Actors and their roles</li><li>▪ Limitations of the participants</li></ul>
2. Community capacity, potential and opportunities	<ul style="list-style-type: none"><li>▪ Community capacity and potential for participating in conflict resolution processes</li><li>▪ Community opportunities not exploited</li></ul>
3. Nature and level of community participation	<ul style="list-style-type: none"><li>▪ Avenues for community involvement in conflict resolution</li><li>▪ The role of Civil Society Organisations</li><li>▪ Impediments to community involvement</li><li>▪ Level of community participation</li></ul>
4. Appropriateness of conflict resolution mechanisms	<ul style="list-style-type: none"><li>▪ Appropriateness of conflict resolution mechanisms</li><li>▪ Limitations of the conflict resolution mechanisms</li></ul>
5. Traditional mechanisms for conflict resolution	<ul style="list-style-type: none"><li>▪ Understanding traditional mechanisms of conflict resolution</li><li>▪ Relevance of traditional mechanisms of conflict resolution</li><li>▪ Traditional mechanisms used in Acholi</li><li>▪ Adequacy of traditional mechanisms</li></ul>

#### 4.4 Data Analysis Framework for Key Informant Data

**Table 6: Themes and Categories Generated from KI Interview Data**

Theme	Categories
1. Major participants and actors	<ul style="list-style-type: none"> <li>▪ Composition of participants</li> <li>▪ Criteria for selecting participants</li> <li>▪ Roles of different participants</li> <li>▪ Mandate and legitimacy of different actors</li> </ul>
2. Community capacity, potential and opportunities	<ul style="list-style-type: none"> <li>▪ Community capacity and opportunities for participation in conflict resolution</li> <li>▪ Community involvement in the conflict resolution process</li> <li>▪ The International Criminal Court (ICC) factor in Northern Uganda</li> </ul>
3. Nature and level of community participation	<ul style="list-style-type: none"> <li>▪ Community participation in conflict resolution</li> <li>▪ The role of women</li> <li>▪ Participation of victims</li> <li>▪ The role of local and central governments</li> <li>▪ The role of cultural leaders and institutions</li> <li>▪ The formal nature of the peace talks</li> </ul>
4. Appropriateness of conflict resolution mechanisms	<ul style="list-style-type: none"> <li>▪ Mechanisms used in conflict resolution</li> <li>▪ Limitations of conflict resolution mechanisms</li> </ul>
5. Traditional mechanisms for conflict resolution	<ul style="list-style-type: none"> <li>▪ Types of traditional mechanisms used in Acholi</li> <li>▪ Relevance of the traditional mechanisms</li> <li>▪ Limitations of traditional mechanisms of conflict resolution</li> </ul>

## 4.5 Data Analysis Framework for Key Informant and Focus Group Discussion Data

**Table 7: A Composite Framework for Discussing the Study Findings (FGD & KI Data)**

Themes	Categories
1. Major participants and actors in the Northern Uganda conflict resolution process	<ul style="list-style-type: none"> <li>Composition of key participants</li> <li>Criteria for selection of participants</li> <li>Role of the community representatives</li> <li>Limitations of the community representatives</li> </ul>
2. Community capacity, potential and opportunities for participation in conflict resolution processes	<ul style="list-style-type: none"> <li>Community capacity, potential and opportunities for participation in conflict resolution processes</li> <li>Community opportunities not exploited</li> </ul>
3. The nature and level of community participation in conflict resolution	<ul style="list-style-type: none"> <li>The nature of community participation</li> <li>The level of community participation</li> <li>Impediments to community participation</li> </ul>
4. Appropriateness of conflict resolution structures for engaging conflict-affected communities	<ul style="list-style-type: none"> <li>Appropriateness of structures for engaging conflict affected communities in conflict resolution</li> <li>Suggestions for future structuring</li> <li>The role of the elite</li> </ul>
5. Traditional conflict resolution practices	<ul style="list-style-type: none"> <li>Traditional mechanisms of Conflict Resolution in Acholi</li> <li>Relevance and appropriateness of the Acholi traditional mechanisms of conflict resolution</li> <li>Limitations of Acholi traditional mechanisms of conflict resolution</li> </ul>

## 4.6 Outline for Discussing the Study Findings

The framework for presenting the study findings has been reformulated to ensure that the discourse is more logically presented. Accordingly, categories of objective 2 and objective 3 have been integrated; hence, the findings from these two objectives will be discussed conjointly. The conjoined objectives 2 and 3 will be discussed under the following sections, and in the following order (see Table 7:130).

- Community capacity, potential and opportunities for participation in conflict resolution processes
- Nature and level of community participation in Conflict Resolution in Northern Uganda
- Community opportunities not exploited



- Impediments to community participation

Overall, the study findings will now be discussed according to the following structure:

- i. **Objective 1:** major participants and actors in the conflict resolution process
- ii. **Objectives 2 & 3:** community capacity, potential and opportunities for participation in conflict resolution processes, as well as the nature and level of community participation in conflict resolution processes
- iii. **Objective 4:** appropriateness of conflict resolution structures
- iv. **Objective 5:** traditional mechanisms of conflict resolution

#### **4.7 Major Participants and Actors in the Northern Uganda Peace Process**

The process of resolving the Northern Uganda conflict involved several categories of actors at different stages. While the efforts of some of these actors were documented and acknowledged, the involvement of others was not as evident. The most documented participants and actors were those who were involved in the Juba peace talks (2006-2008). During this process, the major participants were: the official GoU peace team, the official LRA peace team, and the GoSS (mediation team). Others were observers either officially accredited by the peace teams or those individually invited by the mediator. There were also regional and international observers from regional and international institutions, such as the United Nations, the African Union, the East African Community, and the European Union. There were also official observer groups from foreign governments and regional states<sup>44</sup>, as well as local-level observers, such as religious leaders, cultural leaders, elected leaders, appointed leaders, as well as representatives of International Non-Governmental Organisations (INGOs), local NGOs and CSOs.

##### **4.7.1 Composition of Key Participants**

The level of participation in decision making is the extent to which individuals have control over the decision-making process. Listening to the views of ordinary citizens is not enough since they need to also participate in the decision-making process (Charles & DeMaio, 1993:893).

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<sup>44</sup> Official observers were: the US government, the European Union, the UN, and five African governments (Mozambique, Kenya, South Africa, DRC and Tanzania).

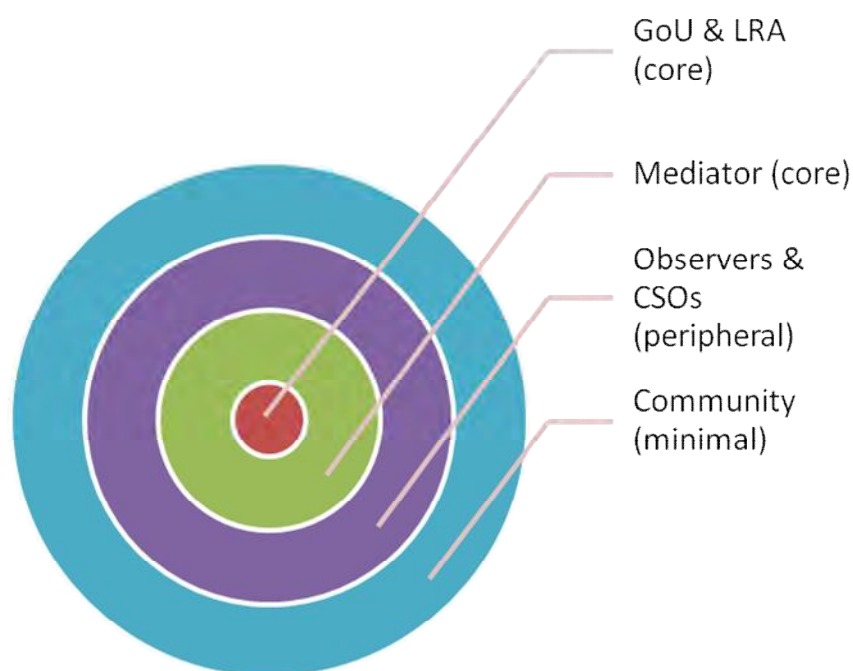
In peacemaking, there are a number of dilemmas regarding who sits at the negotiating table: representatives of the armed groups and/or political parties? (Oliver, 2002:92). Some peace processes may pander to the agendas of those carrying guns, and the political elite (Conciliation Resources, 2013:6). At the same time, the 'elite' cannot be overlooked in the peace deal, thus it was the reason why the politicians and military officers made up the majority of the participants in the Juba peace process, to the disadvantage of ordinary citizens.

Study participants explained that participants included appointed and elected political leaders and CSO representatives, mainly from Northern Uganda:

*The RDCs [Resident District Commissioners] and the LC5s [members of the Local Council 5] participated. Then also George, the coordinator [of the] Pader NGO Forum, travelled there several times to participate in the Juba peace talks. Also Hussein of ARLPI [Acholi Religious Leaders' Peace Initiative] was directly participating in the Juba peace talks (KI, CSO representative, Pader District).*

*The political leaders, these were actors. We had the traditional leaders. We had women, especially the elderly women. We also had the youth, though they were brought on [board] at a later stage. Then the civil society and religious leaders (KI, CSO representative, Pader District).*

**Figure 13: Core, Peripheral & Minimal Statuses of Actors in the Peace Process**



**Source:** FGD & KI Qualitative Data

Respondents explained that the LRA peace team was made up of mainly Acholi people from the diaspora, who had no first-hand knowledge and experience with the situation in Acholi:

*We needed to send our own representative to inform those LRA representatives about the difficult conditions we live in here, because when you look at their composition, they don't know anything. They are not part of the LRA fighters, nor did they experience the conflict, since they did not live in the conflict affected community nor even in Uganda; they stay mainly in Europe and America (Elder, FGD participant, Amida Sub-county, Kitgum District).*

Nordstrom (1997:94) asserts that, even though local people may be mobilized to take part in internal conflicts, they are usually not engaged in their resolution. National and international (elite) actors, mainly powerful nations, sophisticated power elites, formal non-government bodies and academics tend to become engaged in resolution of these conflicts. This omission can be ultimately detrimental to the peace process. Thus, since the Northern Ugandan peace process was largely dominated by the LRA, GoU and other elite actors, the outcome may be viewed more as an elite settlement<sup>45</sup>.

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<sup>45</sup> Elite settlements consist of broad compromises among previously warring elite factions, resulting in political stability and thus providing a necessary precondition for the sustained practice of representative democracy (Burton & Higley, 1987:295).

**Key points: composition of key participants (section 4.7.1 Participants:131)**

**Composition of Key**

- Key participants included the GoU peace team; the LRA peace team, appointed/elected political leaders, CSO representatives, the Acholi cultural institution and religious leaders. It is arguable as to whether or not the religious and cultural leaders truly represented the local communities.

**Source:** FGD & KI Qualitative Data

#### **4.7.2 Criteria for Selecting Participants in the Juba Peace Talks**

Participants explained how institutions with existing structures found it easy to select their representatives, while local government representatives were not selected based on any known criteria:

*Religious leaders formed themselves into an already strong group called Acholi Religious Leaders Peace Initiative [ARLPI]. This body was comprised of the Catholic Church, the Anglican Church and the Muslim community (KI, opinion leader, Kitgum District).*

*The traditional or cultural leaders also have structures. Rwot David Acana [the Acholi paramount chief] would call for his council meeting and they identify who should participate (KI, CSO representative, Pader District).*

*The civil society was only focusing on those involved in peace building aspects like CSOPNU, which had structures. So they would come to a district and ask us to identify the members involved in peace building and conflict resolution (KI, CSO representative, Pader District).*

*When we come to local government leaders, there were no known criteria. They would just select the district chairperson and a few sub-county leaders (KI, CSO representatives, Pader District).*

The process of selecting participants in a peace process is as important as the peace talks themselves, and a failure to select the right participants may have negative implications for the process and the outcome.

##### **▪ Selection of community representatives**

Many respondents complained that they did not know the criteria for the selection of community representatives. Furthermore, those who were selected were clan heads and religious leaders:

*Sometimes the LRA themselves said we want to talk to this person. Sometimes the community says, for example, the Bishop of the Catholic Church is the one we want to go and represent us because he talks what we want. Nobody from government came to select representatives, apart from government sending their own representatives (KI, CSO representative, Gulu District).*

*The way they were choosing these people [representatives], even the community was complaining that, “why can’t they come up to the villages and maybe tell us to choose for ourselves who we think is best to represent us.” It was not done, not even for once. The people in the villages would only hear that so and so has been chosen to go. Who has chosen that person? We do not know (KI, radio programme host, Gulu District).*

*Those [representatives] that went to Juba were clan heads, religious leaders, and ministers. Ruhakana Rugunda was there, Ochora Walter, and Rwot Acana was among them. We even did not understand the criteria for choosing them (Male FGD participant, Ocettoke Camp, Kitgum District).*

Community members did not even know who, or how many people, represented them during the peace talks:

*The community is the best representative [of themselves] because we are directly involved with the conflicts and we are the people who are suffering. So we are very vital in the peace agreement (Male FGD participant, Coope, Gulu District).*

*The ordinary people were not asked to nominate who was supposed to go [to represent them at the Juba peace talks] (KI, opinion leader, Kitgum District). For us the ordinary people, we did not know how many people represented the community (Female FGD participant, Coope, Gulu District).*

Most ordinary people did not understand the selection criteria; they were not involved in developing the criteria, neither were they involved in selecting the participants, which casts doubt on the degree to which the population owned the peace process. In fact, a study by Oxfam International (2007:12-13) established that the vast majority of IDPs in Northern Uganda knew little about the composition of the respective peace teams, and most of them were uncertain as to whether they had a representative at the peace talks. Even in developed countries, marginalised groups are unlikely to participate meaningfully in decisions that affect them (Boyce, cited in Kilpatrick, 2009:40). In fact, Chambers (1998:xviii) makes the moot point that participation is never consensual.

Concerning the need for IDPs to represent themselves or to be effectively represented, Koser (2007) argues that the displaced people know their needs and concerns better than anyone else, and that, where their direct participation is neither possible nor desirable, it is important that representations on their behalf take place on the basis of detailed consultation with them.

Not all participants felt that these representatives were not really reflecting their views. On the contrary, one KI argued that the peace process participants did effectively represent the local population:

*These actors [CSOs, etc] were together with the people [local population], they lived in the conflict, they felt it, and they knew it. I think what they presented, or their views, fairly reflected the situation people were in (KI, CSO representative, Kitgum District).*

In order to address the needs of the community effectively, the representatives needed to share in the community's lives since this kind of representation ensures that community needs are accurately identified as there is an active and subjective role of representing the community (Phillips, cited in Frankish *et al*, 2002:1476).

#### ▪ No clear selection criteria and poor communication

Because of the absence of clear selection criteria, community representatives ultimately selected themselves and did not give adequate feedback to the community:

*They [observers] sat and selected themselves, without knowing that they were actually working for that down-trodden individual. So, when they came back, what did you hear? Instead of coming out and going down there [to the grassroots] ... Apart from radio talk shows, there was nothing like going to Amuru, to Pader to report (KI, cultural leader, Gulu District).*

*To them [LRA and GoU] they thought it [peace talks] was their own thing. I remember in one of the sessions during the Juba peace talks, we were asked to leave the [negotiation] room. One person from the LRA said: 'when we are discussing our things, they should not be here'. Later on when things became hard, the two groups [GoU & LRA] now started looking for us (KI, CSO Representative, Kampala).*

It would appear that community representatives, to some degree, may not have accurately reflected the views and perspectives of the broader community.

**Key points: unclear criteria for selecting the participants (section 4.7.2 Criteria for Selecting Participants in the Juba Peace Talks:134)**

- Unclear criteria and mandates for selecting participants caused problems of legitimacy.
- Formal institutions, including religious and cultural ones, selected their representatives through their internal structures.
- CSO representatives were selected based on their expertise in conflict resolution.
- Ordinary people were not given an opportunity to select their own representatives and were largely represented by the religious and cultural leaders.

**Source:** FGD & KI Qualitative Data

#### **4.7.3 The Role of Community Representatives (Religious/Cultural Leaders)**

Religious and cultural leaders played a significant role. They resolved stalemates that had developed between the LRA and GoU peace teams. They also established appropriate structures for information gathering:

*At some point during the [Juba] peace process, there was a stalemate. We went to Juba for a conference, which we called The Acholi Conference. That conference was meant to bring the warring parties [back] to the negotiation table (KI, CSO representative, Kitgum District).*

*The religious leaders played a big role right from the time of Betty Bigombe. They were very, very consistent. I would really say they did a phenomenal job. The cultural leaders also did a very good job (KI, women activist Kampala).*

*For us [...] we used to have what we call 'women's forums' in the sub-counties, and then the women task forces in the parishes. They were forums that we were struggling to come up with so that they are able to gather issues from their communities and then put them together. We would have the women meet monthly and they would have their representatives come here (KI, CSO representative, Gulu District).*

Public participation can be critical when a formal process falters or breaks down. Civil society activists can bring key actors back into the peace process and help to create or maintain a climate conducive to negotiations. In South Africa, for example, the local and regional peace committee structures of the National Peace Accord were able to stabilize the situation in April 1993, after the assassination of the African National Congress (ANC) activist Chris Hani (Oliver, 2002:93).

Respondents explained how CSO leaders and community members were engaged in conflict resolution through NGO initiatives and traditional approaches:

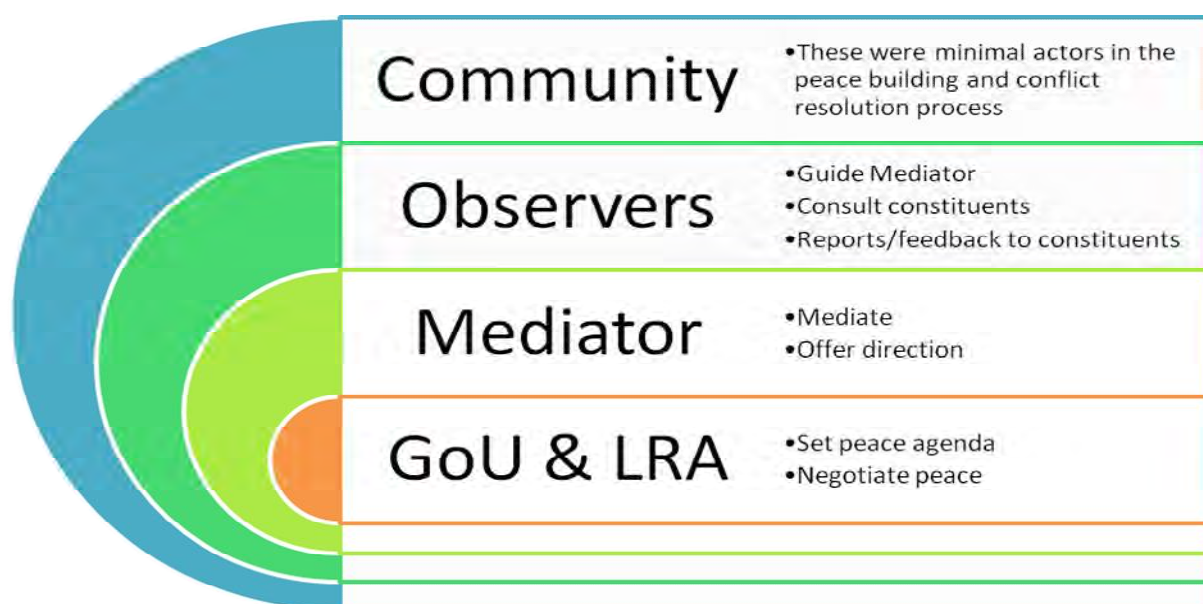
*We [CSOs] were mobilizing [the] opinions of the local community in the peace building process. We carried out research to find out the perspectives of the common persons in the villages, in the camps (KI, CSO representative, Pader District).*

*NGOs were there to mediate and also initiate reconciliation among people. Another strategy that involved the ordinary community was the use of mato-oput whereby the people are gathered and the ritual for cleansing is performed (Male FGD participant, Kiteng, Pader District).*

*When they [community representatives] came back [from Juba], we managed to organize what we call peace summits. There were two important peace summits here in Pader, organised by Pader NGO Forum. We even called the Minister of Internal Affairs (KI, CSO representative, Pader District).*

If civil society organizations and the public are sufficiently prepared to engage in peacemaking, it can both create a climate conducive to negotiations and help to ensure that social infrastructure is developed for their voices to be heard at formal peace talks (Oliver, 2002:91).

**Figure 14: Key Roles of Main Participants in the Northern Uganda Peace Process**



Source: KI & FGD Data



There was an assumption that every community member had been represented during the Juba peace talks since they were part of a political, cultural or religious constituency, and these participants were *de facto* representatives who did not need fresh mandates:

*I think these are assumptions - that because they are leaders of religious institutions, everybody belongs to a certain religion. So they think that if they [religious leaders] are there, then they are representing all of us, because they come to our churches, mosques, and because they belong to our cultural institution. But what does this representation entail? (KI, INGO official, Gulu District).*

*I think that by virtue of [the] responsibility that these players [participants] had, they could be legitimate representatives of the voices of the people, especially the religious leaders and the cultural leaders. They did not need to seek for a new mandate. In their roles, they automatically would qualify to represent the people. But maybe the missing part was the consultation, so that they would have up-to-date information on the issues they were presenting in Juba (KI, CSO representative, Kitgum District).*

*Every individual Acholi is connected to a particular chiefdom. So, the head of that chiefdom [automatically] represents every member of that chiefdom and does not need a new mandate to represent his subjects (KI, Cultural leader, Gulu District).*

It appears that CSOs assumed that they represented ordinary community members because they knew what they were experiencing, and what the needs and experiences of their constituents were; this is what Prior *et al* (cited in Frankish, 2002:1476) refers to as ‘experiential representation’. However, there was a lack of communication between the community representatives and the local citizens. Another point of contention was that some representatives suggested that no new mandate was needed whilst others thought differently. There was also differing perceptions as to whether ordinary citizens should participate directly in a peace process.

One respondent argued that it is not necessary for individual community members to participate directly in the peace process, since it is implied that they are represented by Ker Kwaro Acholi (KKA), the Acholi cultural institution:

*KKA [The Acholi cultural institution] is built on a cultural system that is representative through clan leaders and clan chiefs. Because of the above structure, it is not necessary for individual community members to participate directly in the peace process. It is implied that they are represented by the KKA leadership (KI, Cultural leader, Gulu District).*

Trusted leaders were well placed to negotiate peace and speak to LRA and GoU on behalf of the ordinary people:

*I would feel that a traditional leader is a leader respected and trusted by the people. An elected political leader is also one of that nature (KI, Local Government Official, Gulu District).*

*We must know that at that time of the peace talks, it was like clinging to a crocodile when you have a capsized boat. Parties that were interested in the success of peace talks were able to find anybody or any team that they thought the parties to conflict [GOU & LRA] would listen to (KI, women activist, Kampala).*

During peace processes, CSOs can have significant influence, which can be especially useful when there is a stalemate, or when one party seems to set unfavourable terms for continued dialogue. According to Muhereza *et al* (2009:29-31), CSOs played an important role during the Juba peace process, and they provided some kind of channel through which the people of Northern Uganda were able to communicate and express their desire for peace. Once again the communication/information channels could have been improved. According to Strange (1972:660), participation is a key mechanism for redistributing power and influence among citizens and the elite, and CSOs could have done much more in improving the flow of communication to the ordinary community members.

#### **4.7.4 Mandate of Representatives**

It would appear that the mandate of these representatives were not clear.

- **Questionable mandate of the CSOs as community representatives**

There was debate as to whether the community representatives possessed the mandate to represent the conflict-affected communities during the Juba peace process. In fact, some observers acknowledge that they lacked a strong mandate from the community, and they seemed to be unsure of what constituency they represented:

*Even as CSO representatives, religious leaders, cultural leaders and other observers, we were always wondering whether we had the mandate from those we represented; if we had any, it was weak (KI, CSO representative, Gulu District).*

*Whose interests do we [CSOs] represent? Are we sure that we are really talking for and on behalf of the people? Whose peace? Are we really sure that we are talking [about] their issues? Could we have they themselves also participating in this? (KI, CSO representatives, Kitgum District).*

It is a question as to whether civil society can represent fully the needs of any given community (Oliver, 2002).

Some key informants felt that CSOs did not effectively represent the community, and did not provide them with feedback:

*I feel nobody represented me there [in Juba]. As a community member here, I know nobody represented me, because nobody sought my consent, nobody asked me for [my] input and nobody gave me feedback when they returned from Juba (KI, Local Government Official, Amuru District).*

*Those supposedly representing war-affected communities [CSOs] were relegated to observer status; they did not have [the] space and [the] opportunity to present their opinions; if they had any idea to pass on, they could only do it over a cup of tea (KI, CSO representative, Gulu District).*

NGOs' credibility as representatives of the poor and marginalised is often debated (Cleary, 1995; Nyamugasira, 1998). It has been suggested that NGOs are not always accountable to the people that they claim to represent thus raising questions of legitimacy (Edwards, 1999; Nelson, 1997).

*People do not feel that they were represented because there was never any feedback mechanism – except for a few messages in the media. Even CSOs, which had relatively accurate information, never disseminated it to the affected communities (KI, CSO Representative, Gulu District).*

The Darfur peace process seems to have been bedevilled by the same challenges as women embarked on informal interactions outside the formal negotiations and did not have sufficient opportunity to help develop an agenda common to all (Institute for Inclusive Security [IIS], 2009:13).

Civil society informants however felt differently:

*The issues we were picking [up] from the community were coming from our day-to-day interface with the community. We were not assuming situations and then coming up with issues. So, mandate? Yes, it remained a question but still we thought that we were not really far from the people (KI, CSO representative, Kitgum District).*

This voice is similar to that of the chairman of the inter-religious council of Liberia who claimed that although they did not consult widely during the Liberia peace process, they knew what was happening all over the country (Zanker, 2013:8).

*After visiting Juba, they [CSOs] would have a radio program to account for what they said there and where the peace talks had reached. Two or three days after their return, they air a one-hour programme [on radio] trying to say what they have done, who was there, where they have reached and how it is going. Then the next time they are going back, they would tell the community (KI, CSO representative, Gulu District).*

One key informant suggested that existing leaders had a sufficient mandate to represent the community:

*The mandate, they [community representatives] had because as a religious leader, say in the protestant church, a Bishop has the mandate to speak on behalf of the people. Likewise, the MPs had the mandate because people elected them to parliament. The point is, the mandate they have, does it cover the sphere of peace talks representation? (KI, opinion leader, Kitgum District).*

Other key informants stressed the importance of community members choosing their own representatives:

*Representatives need to be chosen by community members. They [representatives] may be religious leaders, cultural leaders or ordinary peasant farmers, or other people who have community trust, but in principle they should be chosen through an opinion poll process owned by the community (KI, CSO representative, Gulu District).*

*Let the people decide themselves, who are to represent them for such kind of things [peace talks]. Definitely, they will not leave the traditional chiefs. The community knows their resourceful persons amongst themselves (KI, Local Government Official, Amuru District).*

Drawing from the South African conflict resolution process, Marks (2000) argues that, if peacemakers are available, they are likely to be used. A peacemaker's worth depends on the community's recognition of that role. In societies affected by conflict, it is important to

involve community members actively in decision making. Koser (2007:13) argues that, whether community members willingly or unwillingly become party to a conflict, their inclusion is necessary for sustainable conflict resolution. Without firm roots that positively connect ordinary people to their leaders and across communities, peace processes are likely to wither and fail (Maney *et al*, 2006:184).

▪ **Legitimacy of the community representatives**

Legitimacy is a generalised perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions (Suchman, cited in Hudson, 2000). It has been recognised as a core element in political regimes, dealing with the relationship between societal acceptance of regimes and institutions and their ability to exercise power and authority effectively (Weber, cited in Hudson, 2000). Linked to the context of peace making in Northern Uganda, legitimacy would refer to whether or not the community had any say in electing their own representatives and whether these representatives provided their constituencies with the necessary information about the peace process.

In Northern Uganda, community leaders who had not been mandated by the population to represent them, did not have any obligation to provide them with feedback:

*Here in Lamogi, the only person who went and represented us was Rwot Otinga Atwama who even never briefed us of what took place in Rikwangba or Juba. I think this was largely because people were not gathered to appoint him in public (Male FGD participant, Pagak, Amuru District).*

*They [representatives] should have reported back to the people they assumed elected them. My area of disappointment was the feedback. Feedback was not there, consultation was not there... It was the consultation and feedback that created all the problems. If those self-appointed people went and came back and reported to people, that would have been fine (KI, cultural leader, Gulu District).*

Thus, the process and outcome of any peace agreement may not be viewed as legitimate by the grassroots if they have had very little say in who represents them or had very little access to information about the process.

Furthermore, women appear to have been marginalised in the peace process:

*These people went [to Juba], of course they were representing people, but were they representing them meaningfully? The cultural institution, for instance, is mainly made up of men. All heads of clans, the chiefs are men and the way the cultural institution works, I think is rigid. Most of the religious leaders are men. The main decision makers are all men; they are the ones that are consulted on peace, leaving out the women (KI, INGO Official, Gulu District).*

One respondent was of the view that politicians did not consult their constituencies adequately, and that they thus could have worked on the wrong assumptions:

*You know some of these politicians do not consult. They will assume that this [their own thinking] is the thinking of our people, yet that is his/her own way of thinking. So there was no proper consultation by the politicians. So I do not agree that their views were the views of the people (KI, CSO representative, Pader District).*

The absence of community ownership of the peace process can have a bearing on the quality of outcomes of that process. To this end, Barnes (2002) asserts that in the absence of opportunities for participation, conflict-affected communities can lose trust and confidence in a peace process that does not solicit their input and where actors in the peace process do not consult with or inform them about progress.

Many key informants stated that the consultative process by cultural and religious leaders seems to have been limited to their constituencies, with limited outreach to outside stakeholders:

*The actors needed to consult a lot with the people. I am not quite sure whether that was done or not. If some did, then that was fine. But I think we have not heard of an actor deliberately taking [the] trouble to consult on a particular issue with a view of going to present those issues in Juba (KI, CSO representative, Kitgum District).*

*I think consultations, if they were carried out, they were indeed carried out selectively in terms of who is closer to which entity [and] in terms of either the positions of the Acholi religious leaders' peace initiative or Rwot Achana (KI, women activist, Kampala).*

*During the Juba peace process, I do not think they [cultural leaders] really went there [to the community] and consulted as much as they should have. They may have only consulted the people within the cultural institution, which may not have been representative enough. Likewise, the religious leaders, I do not think they consulted enough (KI, INGO official, Gulu District).*

*Even those who accompanied the peace team on the government side were people who did not consult with the people down here [in Northern Uganda]. So the extent to which their representation worked in the interest of the people, I would think that should be about 60% (KI, CSO representative, Kitgum District).*

*The mere fact that you are a representative does not mean that you are complete. There must always be consultation and feedback for one to remain legitimate (KI, CSO representative, Pader District).*

Furthermore, the observer status of civil society leaders and also some politicians did not give them enough latitude to represent communities effectively:

*Although the community trusted cultural and religious leaders whom they regarded as their representatives, their voices were ignored because they were merely observers (KI, Religious Leader, Kitgum District).*

*Politicians at the peace talks claimed that they were representing their people, but in the actual sense, they were also mere observers, not participants. They were also invited like CSOs, religious and cultural leaders (KI, Religious Leader, Kitgum District).*

Oxfam International (2007) reached similar conclusions as conveyed by these aforementioned respondents.

The community's ability to choose their own representatives is a critical matter, as it is a basic tenet of a democratic society. In this regard, Mac Ginty (2005) asserts that, during peace processes, representatives must have the mandate of those they claim to represent since the legitimacy of subsequent negotiated agreements is linked to this and could be a sticking point. In this connection, Koser (2007:68) cites the example of Sudan, where formal IDP representation at the negotiations towards Sudan's Comprehensive Peace Agreement (CPA) of 2005 was not considered to be necessary, since the Sudanese People's Liberation Movement (SPLM), being a popular movement with a deep presence in the war-affected communities of the south, was their *de facto* representative. Although mandated community representation was seen as lacking by some respondents, it appears that generally a number of respondents believe that the community was effectively represented, particularly during the Juba peace talks.

**Key points: mandate/legitimacy of community representatives (section 4.7.4 Mandate of Representatives:140)**

- Community representatives did not provide adequate feedback/consultation to the grassroots population.
- Observers acknowledged that they may have lacked a strong mandate from the local community.
- The government peace team did not consult with the local population.

**Source:** FGD & KI Qualitative Data

#### **4.7.5 CSOs as Representatives of War-affected Communities**

Civil society provides a buffer that prevents the state from becoming too powerful and authoritarian. Together with the state and the market, civil society could be seen as one of the spheres of decision making in democratic societies (Kasaija, 2006:4). The UN has observed that the involvement of CSOs in peacemaking and conflict resolution is critical, as they are particularly suited for this, given their close connections to the grassroots (UN, 2004:3).

Peacemaking efforts by various CSOs have been documented as being influential in the resolution of disputes, not only in the Northern Ugandan context. For example, Van Tongeren (2005) identifies a number of youth and women groups that have undertaken significant peace initiatives, albeit on a small and informal scale, which have provided bases for formal peacemaking. Such examples can be found in Cambodia, Fiji, Sudan, Burundi and Colombia.

The aforementioned examples notwithstanding, in many peace processes, there is usually tension between the local people and those who are supposed to represent them. There are also tensions with external stakeholders who usually have self-interests that they are trying to protect (De Coning, 2013:1). Nevertheless, community participation is beneficial since it motivates communities to take responsibility for their own affairs, including their own development. It would appear that key informants in this study felt that religious and cultural leaders were in fact trusted by communities.

#### **▪ The Role of Religious and Cultural Institutions**

Because of the absence of direct participation by ordinary citizens in the conflict resolution process, religious and cultural leaders were presumed to be their legitimate representatives. In



fact, it was said that the idea of peaceful conflict resolution came from the CSOs, and particularly from religious and cultural leaders:

*The religious people [leaders] came up with the idea of negotiation. Government was also convinced that, rather than fight, they [would] try [peace talks]. They identified the mediators, the local leaders, the religious leaders and even government stakeholders (KI, CSO representative, Pader District).*

*The [Juba peace talks] initiative was born [from] the cultural institution and religious leaders. The two institutions worked very closely. When the peace talks failed, they were very instrumental in championing the process that brought the warring parties [back] together to the negotiating table (KI, CSO representative, Kitgum District).*

*The paramount chief had to meet so many important people in the Juba process to balance [the] views of anybody who wants to take decisions: the head of state of Uganda, the head of state of South Sudan, the leader of the LRA, the leaders of the peace delegations and the UN Representatives. They all had to consult us, not only on facts, but also how it should be handled (KI, cultural leader, Gulu District).*

Two key informants indicated that cultural and religious institutions were trusted by the community as well as by the LRA:

*We met Kony and all the commanders for two weeks. That means we were looked at as an informal mediator. Government intelligence never trailed us, never investigated us. LRA, up to now has never commented that we betrayed them (KI, cultural leader, Gulu District).*

*People [in the community] know that the most substantial ones [representatives] were the Bishops. People had more trust in them, because at least for them they have the structures where they send even a piece of paper with statements they have got from the bush [after meeting the LRA rebels]. During the prayers or after the prayers, when they are making announcements, there is that communication given to the people. That communication moves so much in the community (KI, CSO representative, Pader District).*

For a peace process to be successful it is important to have impartial participants and actors, as these can more easily gain the trust and confidence of the key parties to a conflict. In Northern Uganda, Ker Kwaro Acholi, the Acholi cultural institution proved to be an impartial resource for all stakeholders during the peace process, gaining the confidence of both the GoU and the LRA. In addition, communities also trusted religious institutions which disseminated information effectively through their structures.

Over time, peace negotiations have evolved and become more inclusive, with better representation from civil society groups at informal stages (United Nations Development Fund for Women [UNIFEM], 2005). The involvement of CSOs is critical due to their deep knowledge of key regional and local issues, cultures, and relationships, and their ability to function in adverse circumstances – even, or perhaps especially – where governments cannot operate (UN, 2004:3). Moreover, their proximity to conflict situations allows them to respond in a timely manner, which is especially important for conflict resolution.

**Key points: the role of religious and cultural institutions (section 4.7.5 CSOs as Representatives of War-affected Communities:146)**

- Religious and cultural leaders helped to initiate the peace process.
- Religious and cultural leaders were the informal mediators because they were trusted by both the elite actors and the community at the grassroots.

**Source:** FGD & KI Qualitative Data

▪ **The Role and Significance of the Media**

The media can play a key role in motivating people to enter into conflict, but they also have the power to promote peace. There are several examples to illustrate this, such as Rwanda, Bosnia and the Middle East (Bratic, 2006:1). In fact, Price & Thompson (cited in Bratic, 2006:6) contend that, in most of the conflicts that occurred over the past fifteen years, there was a close linkage between media and violent conflict, and that the media had an important role in promoting the peace process through the messages they send out.

Respondents explained how the media in Northern Uganda, particularly radio, played a key role as an informal medium for soliciting community views, and as an instrument for disseminating peace messages:

*Radio Mega played a great role, because there were so many messages that were appealing to the rebels. Their programme, dwog paco [come back home] really helped the rebels. That is why, whenever the abductees came back, they said it was because of this [radio program] that they made up their mind to come [back from the rebellion] (KI, Local Government Official, Amuru District).*

*Radio was used to give feedback in terms of what was taking place during the negotiation process. It was the key medium of communication, transparent, reaching many people and even the LRA (KI, CSO representative, Gulu District).*

Many respondents spoke of how the media gave war victims and the general population an opportunity to have their voices heard, in addition to enabling representatives to communicate with local people in the community:

*There were radio discussions through forums such as the one called “Te-yat”. It is an equivalent of The Capital Gang. The community members called in, notwithstanding the fact that not all the people could afford to call in and talk (KI, Local Government Official, Gulu District).*

*Recordings were given to the concerned people who went with them [to Juba] in order [for negotiators] to listen to what the community was saying. The LRA victims, those whose lips, ears, or noses were cut off, those whose relatives were burnt to death, those whose relatives were cooked in pots, those who were formerly abducted, and child mothers had the chance to make their views heard [during peace talks] (KI, radio programme host, Gulu District).*

However, one key informant disclosed how, because of the security situation, media outreach was limited to urban and peri-urban areas, although this changed with improved security in the rural areas of the country:

*We [media houses] were not going very far deep into the villages because of the security situation but when the security situation improved, we started penetrating into the villages (KI, radio programme host, Gulu District).*

Although there are few studies that establish a direct causal link between the media and violent conflict due to the complexity of the relationship between these phenomena (Bratic, 2006:3), it is acknowledged that the media plays a critical role in conflict. It can either promote violence or it can encourage positive and constructive efforts for conflict resolution. During armed conflict, radio broadcasts can connect combatants and the war-affected community, hence providing potential opportunities for communication and dialogue. The media can also be used to persuade combatants to abandon the rebellion and facilitate their return and reintegration into the community.

**Key points: the role and significance of the media (section 4.7.5 CSOs as Representatives of War-affected Communities:146)**

- The media provided opportunity for ordinary people to participate in the peace process, albeit indirectly.
- The media linked the elite actors, to the grassroots population as well as the protagonists (LRA) through radio programmes.
- Abductees were encouraged to return as a result of the radio programmes.

**Source:** FGD & KI Qualitative Data

#### ▪ **Women's Peace Efforts**

Some of the causes of the armed conflict are linked to discrimination and social inequality and thus women's participation in conflict resolution and peace building is paramount. Women's participation in conflict resolution is globally recognized and called for in the United Nations Security Council (UNSC) Resolutions 1325 (2000) and 1820 (2008). However, according to the UNIFEM (2010:1), there has been little appreciable increase in the numbers of women who participate in formal negotiations over the past years in conflicts around the world, not only on the African continent.

In Northern Uganda, women strategically mobilized themselves to get involved in advocacy at the grassroots level. Women's advocacy efforts provided a significant platform for the continued involvement of women in post-conflict peace building in Northern Uganda:

*Women mobilized themselves into a coalition. It was a sort of pressure group at that point in time and they managed to go on the ground to consult the women in Northern Uganda (KI, INGO official, Gulu District).*

*As women, we came together and identified our objectives. Why did we really want to participate in the Juba peace talks? What difference would it make if we were present physically at the peace talks? We then had to do a lobby and advocacy strategy to try and have as many women on the two negotiating parties, that is, the GoU and the LRA (KI, women activist, Kampala).*

*We [women activists] came up with video clips; we also came up with the women's protocol, which was a small document that influenced agenda item No 3 on accountability whereby those parties now agreed, included and even signed that UNSC Resolution 1325 under article 2 of agenda item No3. It stated that 'in any post-Juba processes, all the women's concerns will be addressed in accordance with the provisions under the UNSCR 1325' (KI, women activist, Kampala).*

Contrary to popular opinion and cultural stereotyping, women played a critical role in the peace process and were instrumental in bringing about the relative peace prevailing in Northern Uganda. However, it should be noted that the typical 'male gendering' of peace processes is both reflected in, and reinforced by the relative absence of women from these processes around the world (Bell, 2013:2).

The majority of the respondents said that most of the efforts of women were informal. This suggests that, while the efforts of their elite counterparts were recognized, women – and rural women in particular – did not have much significant input in the peace process:

*Although there were several individual and collective efforts by women, most of these were informal and located at household and community level. However, generally, women were totally left out of the formal peace processes (KI, CSO representative, Gulu District).*

*The question was, 'were women really represented?' The answer was No. The grassroots women were not fully engaged. They were resolving community level conflicts but they were not represented at that high level. They were missing from the negotiation table. The elite women were the ones mostly being consulted (KI, INGO official, Gulu District).*

Although women at the grassroots level appear to have been left out of the Northern Uganda peace process, women from other countries had a different experience. For example, in Cambodia and Sierra Leone, special efforts were made to reach out beyond urban centres and to include the participation of rural women's groups (Conciliation Resources, 2013:6).

Women representatives, however, only participated as observers in the Juba peace talks, and were not given an opportunity to present their views:

*Because it [consultation] was not well grounded, it was boardroom women, if I may say. We got some few women from the districts, not really the grassroots, to be part of the taskforce to draft [the resolutions]. We needed translations to be done. We needed advance preparation of these people [negotiators]. We just kept moving in fleets of vehicles and so on and so forth. It kind of lost, to some extent, the grassroots driven face of it (KI, women activist, Kampala).*

Referring to gender issues in Nepal, Rai (2008) reveals that people do not trust women's capacity, and 'rulers' are still not ready to give leadership positions to women or have them

participate in state restructuring. Similarly, the Institute for Inclusive Security (IIS) (2009:5) reports that, women and other CSOs in Guatemala were given non-binding observer status during the 1994 peace negotiations.

In Northern Uganda, too, women's efforts were neither acknowledged nor documented. Most respondents said that, during the Juba peace talks, women groups were given observer status, but it was nearly too late to influence the process:

*Concerning the level of involvement of women, nobody acknowledged it, it was not documented and when the formal peace process started, they were further relegated to observer status (KI, CSO representative, Gulu District).*

During the Darfur Peace Talks, the Darfur women had a semi-official status, which meant that they were neither delegates nor observers – but they were still privileged to provide counsel to the delegates, the AU mediation team and other partners (IIS, 2009:10).

*Following stiff resistance but with consistent lobbying, we [women groups] got an observer status [at the Juba peace talks] three months to the end of the peace talks, it was nearly too late to influence anything (Female KI, CSO Representative, Gulu District).*

Thus, it seems that women's voices were brought in at a point in the process when the key issues have already been framed or after the decisions have already been made by those in power (Yang & Pandey, 2011:880).

It is acknowledged that, although informal or 'Track II' conflict resolution mechanisms have provided women with more entry-points for engagement, these processes are even less clearly documented than formal mechanisms (UNIFEM, 2010:1). Further, Belloni (cited in Koser, 2007:21) argues that although 'Track II' peace processes in DRC, Kenya, Rwanda, Somalia, South Africa, Sri Lanka and Sudan involved women, these peace processes still failed to incorporate the gender issues at the top level.

**Key points: women's peace efforts (section 4.7.5 CSOs as Representatives of War-affected Communities:146)**

- Women, particularly those from rural areas, were left out of the formal peace process.
- Most women's peace initiatives were informal and not documented.
- The representation and participation of women in the peace process was relegated to that of 'observer status' and they had no direct influence on the final decision making process.

**Source:** FGD & KI Qualitative Data

▪ **Community Members and Grassroots Peace Efforts**

It emerged from the FGDs and KI interviews that community members, including religious leaders, volunteered to initiate peaceful engagement with LRA rebels, although government was initially reluctant to embrace peaceful conflict resolution. These initiatives were later embraced by other stakeholders too. Also, citizens were instrumental in the successful reintegration of ex-combatants:

*The Bigombe initiative came when the idea of peace talks came in. In the initial stages, government did not support peace talks; they wanted a military solution, so some people with the help of the religious leaders, who opened the way for the peace talks, volunteered to go and talk to the rebels (KI, opinion leader, Kitgum District).*

In Mali, similar experiences were documented. Political negotiations were not in themselves able to provide the foundations for peace. It was only when communities took responsibility for resolving the conflicts affecting their regions that peace was achieved and the conflict transformed (Oliver, 2002:93).

The community initiated the peace making process, but were later not consulted when GoU decided to talk peace with the LRA. The community also played a key role in reconciling with former LRA combatants:

*At first, the community came up with the idea of making peace with the rebels but when the government started engaging the LRA for peace, they didn't consult the community. The community later came up with mato-oput system, the Acholi traditional justice system (FGD participant, Layibi, Gulu District).*

*The community has done a very good thing to forgive, reconcile and incorporate the former rebels among them. For example, in our community here in Layibi we have many ex-rebels who are living among us (FGD Participant, Trader in Layibi, Gulu District).*

The involvement of conflict-affected communities, in particular, could trigger the start of the reconciliation phase, effectively changing the attitudes and perceptions of the actors (Azar, 1986:29).

#### **4.7.6 Limitations of Community Representatives**

Respondents revealed the lack of adequate feedback from some of the representatives, including sufficient information about the Juba peace talks:

*I actually remember when people [representatives] returned the last time they went to Garamba [LRA's base in the DRC], on their arrival nobody wanted to share what had happened there. People were hearing rumours, until the local people started probing them on radios (KI, CSO representative, Pader District).*

*They [ordinary people] did not even understand that Kony himself was not even physically at the peace talks. One of them said, 'if you knew Kony was not there, with whom were you talking? To whom did you take our recommendations? (KI, women activist, Kampala).*

Some respondents bemoaned the fact that so few community members took part in the peace talks and that they were not properly informed about the developments of the peace process:

*The community was not involved [in the peace talks in Juba], and this was a big mistake. We even waited for the feedback in vain (Male FGD participant, Pagak, Amuru District).*

*Feedback concerning the agenda they discussed on our behalf, was not brought back. Nobody from our village in Kiteng here represented us. This means that our voices were not heard and yet people were dying day and night (Female FGD participant, Kiteng, Pader District).*

*There was no forum where they [community representatives] organized to go to the villages, gather the people, and tell them what took place in Juba. I only experienced it before the insurgency escalated, when they would move in the villages mobilizing people, sensitizing people and talking about the problem of insurgency, discussing ways of avoiding more problems (KI, radio programme host, Gulu District).*



The exclusion of community members means that their perspectives were lost during the peace talks:

*There are certain details that were not being discussed by the leaders [during the Juba peace talks]. These are the details that we really needed the community to bring out [raise]. They have their own way of thinking apart from the one being represented by the leaders (KI, CSO representative, Pader District).*

One respondent spoke of how the community was concerned about prolonged peace talks and the motivations of the representatives:

*To some extent, they [the community] were satisfied but there were dissatisfactions, especially when the process was taking longer than they [community] expected. The people were also now trying to say that the representatives wanted to prolong the process because of allowances (KI, CSO representative, Pader).*

The exclusion of community members, coupled with the lack of feedback from the Juba peace talks most likely meant that CSO officials and other representatives did not raise all the issues that the community would have wished to raise during the Juba peace process.

**Key points: limitations of community representatives (section 4.7.6 Limitations of Community Representatives:154)**

- Community representatives did not provide feedback to the grassroots population.
- There was low representation of the grassroots during the Juba peace talks.
- There were inadequate mechanisms for community engagement in conflict resolution.

**Source:** FGD & KI Qualitative Data

#### **4.7.7 Section Summary**

Earlier studies assert that citizen participation is bound up with issues of power, privilege and resources. Participation is only likely to be effective when there is a favourable balance of power between communities and the elite. Such power is rarely realized in practice, though, as incumbent holders of power often feel threatened by successful involvement of other stakeholders (Bowen, 2008:76). The ‘elite’ did not involve local citizens sufficiently, suggesting evident power imbalances. Genuine community participation without redistribution of power can be frustrating for local people (Arnstein, 1969). Local levels of

representation can play an important role in providing citizens with channels of participation, consultation and accountability (Rakodi, 2004:261).

Compared with other peace processes, it is clear that the Juba peace process was non-inclusive. For example, in Northern Ireland, the peace process obtained community opinions through opinion polls conducted by means of five sequenced polls, which coincided with the major milestones of the peace talks. These opinion polls informed the peace process. In fact, the opinions of the citizens of Northern Ireland gave impetus to negotiators and shaped some of the opinions of the peacemakers (Irwin, 1999:305-313).

#### **4.8 Community Capacity, Potential, Opportunities and Community Participation in Conflict Resolution**

This broad theme addresses objectives Two and Three (see section 4.6 Outline for Discussing the Study Findings:130) for an integrated outline for the two objectives.

Whilst peacemaking and conflict resolution are often carried out by political and military persons (Lederach, 1997) with little or no inclusion of ordinary community members (Darby & Mac Ginty, 2000:13), Van Tongeren (2005:7) contends that people from the grassroots have to be drawn in so that the peace that is negotiated is part of a 'bottom-up' process.

The Northern Uganda peace process seemed to favour the elite at the cost of ordinary people in the peace process. One of the explanations for this is that ordinary citizens have less access to resources that translate into political power and decision-making authority (Checkoway, 1981; Morone & Marmor, 1981). Further, opening up to citizens' participation takes more time than it would for 'elite representatives' who are prone to making unilateral decisions (Creighton, cited in Yang & Pandey, 2011:885). Those against community participation argue that participation can place an additional burden on an already vulnerable population (Sawyer, 1995:18). Finally, Dudley (1993:7) suggests that the success of community participation beyond the rhetoric, is less evident and that part of the problem lies in vested interests and the power of the elite.

The study findings indicate that the overall level of community participation in the Northern Uganda peace process was minimal. Accordingly, the study respondents had opposing views

regarding the nature and level of community participation, with the majority saying that the level of participation was low. Also, the majority of participants argued that there were no deliberate mechanisms to ensure the participation of community members.

#### **4.8.1 Community Capacity for Participation in Conflict Resolution**

The issue of community ‘capacity’ remains highly contested, with arguments for and against community participation in conflict resolution processes. Those against it argue that ordinary community members lack the requisite capacity to participate effectively, that their participation may be costly and inefficient because the effectiveness of community participation is linked to their ability to participate. Frankish *et al* (2002:1471) contend that discussions about the roles and responsibilities of citizens should focus on their capacity to make decisions. It is suggested by Brownlea (1987) that the desire to have community representation in conflict resolution processes may compromise the quality of processes, partly because the people involved may have limited skills or knowledge compared to those responsible for making the decisions. Also, participation may involve people who are less accountable for outcomes than are professional decision-makers.

Conversely, those in favour of community participation contend that any community has the inherent capacity to participate in the conflict resolution process. Those in favour of community participation further argue that it is only inclusive peacemaking that will lead to sustainable peace (Barnes, 2002; Mac Ginty, 2005). To this end, the study findings indicate that the community did have some capacities as well as opportunities for participation in the conflict resolution process, but that these capacities needed to be enhanced to enable the grassroots citizens to participate more effectively in the conflict resolution process, notably the Juba peace talks (2006-2008).

##### **▪ Community capacity: respondents’ opposing views**

Study respondents held opposing views regarding the community’s capacity to participate in conflict resolution processes. While most of the respondents held the view that the community had sufficient capacity, others felt that the community did not have the requisite capacity to effectively participate in the conflict resolution process at the top level. This is in keeping with present day conflict resolution practices where the grassroots are often empowered to engage in peace processes in their own communities where their

considerations are channelled through middle range leaders to the top level negotiations (Lederach, 1997; O'Brien, 2005).

▪ **Perceptions that the community had the necessary capacity for participation**

Several key informants as well as an FGD participant suggested that the community in Northern Uganda had the necessary capacity to participate effectively in the conflict resolution process. In part, this capacity was obtained from the capacity building programmes provided by NGOs, coupled with community members' direct knowledge and experiences of the conflict:

*I do not share that opinion [that local people lack capacity]. I do not see any limitation because they [ordinary people] have ears, they have mouths, they have brains and they have experiences. They have been in the [conflict] situation, so that issue of limitations is just denying them [ordinary people] participation. In any case, what capacity did the LRA have? When they were negotiating was their capacity any better than the people in the community? (KI, cultural leader, Gulu District).*

*Our community here has relatively high capacity to participate in conflict resolution as a result of training and capacity building provided by NGOs. Youth groups in this community were trained by NGOs to undertake community sensitization meetings focusing on peace efforts as a contribution to the conflict resolution process (Male FGD participant, Ongako Sub-county, Gulu District).*

*I think they [community members] have the capacity because many of them have been collaborators [of LRA] and have the history of how the war started. Given a chance, they will be able to narrate how it started and also suggest the way forward (KI, Local Government Official, Amuru District).*

Key informants said:

*People from the villages, the very victims [of the conflict], some whose children are still there [in the bush], some whose parents are still in captivity, they need those close relatives of theirs to be released [so they would have participated effectively] (KI, radio programme host, Gulu District).*

*Most of the people who were connecting us to LRA, giving us the phone contacts to talk to Kony were ordinary people. They were those women and men of that category. You may see them with the [Acholi] paramount chief and wonder what they have come to do. But you will be told these are the people assisting us (KI, cultural leader, Gulu District).*

Some respondents indicated that social cues such as the way community members spoke or looked may convey their level of poverty or lack of education but that this did not necessarily mean that they did not have the capacity to participate or lacked essential skills:

*Some of the people in the villages have the skills. People are gifted differently. The way somebody speaks, you can know that this person is only poor or has missed the opportunity. There are some people in the villages who did not go far in education but they have the natural skills (KI, radio programme host, Gulu District).*

*They [community] are impoverished, but they speak English. They clutch newspapers. They are on radio every time, but poverty has made them look the way they are. Not that they have failed or that they cannot explain, convince people, articulate the situation, or give views on what they see. So there is nothing like they have no capacity (KI, cultural leader, Gulu District).*

These aforementioned perceptions indicate a need to recognize the value of community participation especially those who have been directly affected by the conflict. However there is some ambiguity as to the nature of that participation.

▪ **Perceptions that the community did not have the necessary capacity**

There may be a perception that in societies emerging from conflict, local capacity may be weakened, making it difficult for locals to govern themselves and in extreme cases, they may not know what they need and would require external assistance (Botes & Van Rensburg, 2000:51; De Coning, 2013:2). However, this notion, often adopted by the elite, leads to the silencing of the voices of the ordinary citizens who could play a crucial role at the grassroots.

Some key informants' perceptions were that community members lacked the capacity to analyse and articulate complex issues, as well as being limited in contributing meaningfully to critical debate:

*The community members do not have the minimum capacity to participate effectively, especially in formal peace and conflict resolution processes. They have the ideas, but may not have adequate capacity to articulate them (KI, CSO representative, Gulu District).*

*You may need to transform a local problem and analyse it, and articulate it to the level that would make it appropriate for lobbying and advocacy to different audiences, and usually the ordinary community members lack the ability to do that (KI, CSO representative, Gulu District).*

*If we should be more serious, do they [ordinary citizens] understand modern peace negotiations? That [Juba peace process] was a modern peace negotiation. Do you think any Tom, Dick and Harry there in Koc will go and talk the peace we are talking about, not what they are thinking? (KI, Local Government Official, Gulu District).*

*I witnessed debate progressing in Juba. I witnessed the actual negotiations going on. It will be hard for me to imagine that someone from the village would even be given a minute, unless it is deliberately done. The level of that discussion was so high that it would take a lot of effort to interpret, to bring the mind of the common person here to understand and substantially give his input (KI, CSO representative, Kitgum District).*

These perceptions may be reality based but at the same time may justify the ongoing exclusion of community from participation at other levels of the debates. One such explanation is the lack of capacity, or the so-called ‘deficit model’ (Rowe & Frewer, 2000:5). Advocates of this model argue that human inadequacies (such as ignorance, attitudes, beliefs, and motivations) limit the public’s capacity to be effectively involved in complex decision making. Such proponents express doubts about whether the public understands significant concepts. Even those who support community participation acknowledge that most local community members lack the requisite level of education, political skills, technical skills and influence (Bowen, 2008:76).

A significant challenge to effective community participation is the issue of power imbalances. Unequal power relations between ordinary people and the elite is one of the major determinants of the level and nature of community participation. In this regard, Werner (cited in Zakus & Lysack, 1998:3) asserts that a community’s level of participation reflects the underlying level of power in its possession. Polletier (cited in Kilpatrick, 2009:40) thus advocates for the need to redistribute power, because those who have the power in the community are likely to influence the agenda at the expense of disadvantaged groups.

**Key points: community capacity for participation in conflict resolution (section 4.8.1 Community Capacity for Participation in Conflict Resolution:157)**

- Some perceptions reflect that ordinary community members do have the capacity to participate effectively in peace processes whilst other perceptions contradict this notion.
- It is clear that community members do have a role in conflict resolution processes but it is questionable as to whether ordinary community members would be taken seriously in top level negotiations unless they are specially empowered to carry out this role.

**Source:** FGD & KI Qualitative Data

▪ **Enhancing community capacity**

Study findings reveal that, while there was some community capacity for participation in the conflict resolution process, there remains a need for strategies to enhance this capacity further so that community members are able to relate to, and engage more favourably with their elite counterparts.

Most of the key informants highlighted the need for an intermediary who could help with translations and to tap into the potential of community members.

*People definitely could have capacity, [but] only if their capacities were tapped, and this needed a leader: a leader who could go down to them, talk the language they understand and they would come out with really good contributions (KI, cultural leader, Gulu District).*

*There is a need to build their [community's] confidence [so] that they are able to participate, much as they have been marginalised. Their confidence needs to be built (KI, Local Government Official, Amuru District).*

*It is clear that this community can really help the peace team to sort out certain things. They only need to be guided, like say, if the negotiations are going on in English, it should be translated to them (KI, Local Government Official, Pabbo Sub-County, Amuru District).*

*True, the community members do not have the minimum capacity to participate effectively, especially in formal peace and conflict resolution processes. They have the ideas but may not have adequate capacity to articulate them (KI, CSO representative, Gulu District).*

In this regard, Bowen (2008) suggests that ordinary citizens need to receive appropriate training and support so that they can become more knowledgeable and competent. This applies particularly to women, who needed skills to address gender issues:

*Because they [women] normally have little or no formal education, there is a need to build confidence and upgrade the skills of women, since they usually deal with domestic and local issues (KI, CSO representative, Gulu District).*

*They [ordinary citizens] may need some form of training to bring out these issues, so they need some kind of capacity building, including basic lobbying and advocacy skills (KI, CSO representative, Gulu District).*

**Key points: enhancing community capacity (section 4.8.1  
Capacity for Participation in Conflict Resolution:157)**

Community

- Ordinary citizens did not have the critical capacity to participate in formal peace processes alongside elite negotiators.
- Community capacity needed to be enhanced through training and skills development and their ideas could be passed on.

**Source:** FGD & KI Qualitative Data

#### **4.8.2 Community Opportunities Not Exploited**

The community's knowledge and experience of the conflict; the voices of victims of the conflict; the social networks of families with children among LRA combatants; the existing links between community members and the LRA top leaders; opportunities for the LRA negotiators to meet their victims during the Juba peace process; the community setting, particularly the IDP camps; and the use of the Acholi cultural resources for peace were not fully exploited.

One key informant felt that the situation in the IDP camps lent itself to community involvement in the peace process:

*It was easier [to involve people] when they were in the [IDP] camps because they were in groups. The camps had camp leaders. That was the war time, the time people were united. There were so many informal arrangements for survival. It was only because nobody bothered about it [involving them] (KI, cultural leader, Gulu District).*



Some perceptions included the notion that those directly affected by the war did not have an opportunity to speak directly with the perpetrators of violence and with other actors since they were excluded from the Juba Peace talks:

*They [mediators] picked the cultural leaders, political leaders and some technical staff. These were people who were not directly affected by the war because during the war many of them ran away and none of their children were abducted. But if really they picked [participants] from the grassroots, they would have had the chance to talk directly. Of course, they [victims] were neglected, so they sat down on their good views and knowledge that they should have given to the peace team (KI, Political Leader, Amuru District).*

*It was a missed opportunity not to have representatives of ordinary people who know all the atrocities committed during the conflict; this would have been the best (KI, Religious Leader, Kitgum District).*

*The community has been a victim of this conflict. The victims should have been given opportunities to speak out their minds. What is their feeling? Because now, when leaders are talking, the victims are quiet (KI, Political Leader, Amuru District).*

Furthermore, it was asserted that a possible reason why the LRA did not take the peace agreement seriously (by not signing it) was because the victims of the conflict were not ‘at the table’ but instead they negotiated with GoU who were not directly affected by the conflict:

*The LRA did not take the peace process seriously because they did not negotiate with victims of the conflict. Those who have ‘forgiven’ them [GoU] are not directly affected by the conflict (KI, CSO Representative, Gulu District).*

Of particular interest is the underutilization of the Acholi traditional practices for conflict resolution. These practices place emphasis on truth telling and confession as the basis for reconciliation and restoration:

*The Acholi community is endowed with a strong traditional structure of cultural leaders and elders, who are instrumental in the resolution of conflicts, particularly using the indigenous approach. However, very unfortunately, this was not adequately utilised (Female FGD participant, Ongako Sub-county, Gulu District).*

It is argued that the special insights, needs and experiences of war-affected communities could best be identified and used if there had been genuine community participation (Strange,

1972:659-660). Lederach's three tier pyramid (1997) which clearly depicts the possibility for effective channelling of information up and down the pyramid from the grassroots through to the middle range leaders and through to the elite confirms this possibility for greater participation from the bottom-up. In the case of Northern Uganda, the failure to involve community members was a missed opportunity, and it might have significant implications for the outcome of the conflict resolution efforts. It is possible that the outcome will not represent the opinions and aspirations of the majority of the population since their voices have not been heard and sufficiently taken into account. This poses challenges for the actual implementation of peace accords. In Northern Ireland, as well as in South Africa, there was significant investment in getting the grassroots communities involved in peacemaking, and this paid dividends (to a certain extent) (O'Brien, 2005). Nonetheless, peace processes remain 'work in progress' as the recent unrests in South Africa, Northern Ireland as well as South Sudan show, and much work still needs to be done in addressing community concerns.

**Key points: community opportunities not exploited during conflict resolution (section 4.8.2 Community Opportunities Not Exploited:162)**

- Despite the leadership structure of IDP camps being ideal for facilitating community involvement, it was not used.
- The Acholi traditional practices, such as reconciliation, were not optimally utilized.
- The community's knowledge and experience of the conflict was not tapped into.

**Source:** FGD & KI Qualitative Data

### **4.8.3 Section Summary**

The study findings show that the voices of the citizens could have made a significant contribution to the negotiated settlement of the conflict. The GoU and the LRA, both considered perpetrators by the majority of the community, were the only parties to the negotiations. Further, the study findings seem to suggest that there was inadequate use of the Acholi indigenous process of conflict resolution, which would have enabled the LRA to interface with the community members as victims of the conflict.

### **4.8.4 Nature of Community Participation in Conflict Resolution**

Some respondents indicated that the community was involved in the early initiatives to resolve the conflict through dialogue and during the Juba peace talks:

*During the Betty Bigombe talks in 1994, participants were mostly villagers, mostly elders, religious leaders and traditional leaders. The government people who were there were mostly military personnel (KI, CSO representative, Kampala).*

*Save the Children came up with an idea that children should be taken there [to Juba] so that they [LRA] see the impact of the war on children. At least 4 children aged 15-16 years were taken; two boys and two girls (KI, CSO representative, Pader District).*

People from different regions of Uganda were involved in the Juba peace talks:

*Even people in Lira and Teso region were involved. Everyone was going to Juba. Different people were involved this time [2006-2008] giving different opinions. I think this time very many people were really engaged (KI, CSO representative, Gulu District).*

Some respondents spoke of how the ordinary citizens became involved in the peacemaking processes after realizing how much the conflict was affecting them:

*People [peace teams] learnt and asked why they cannot involve the traditional leaders and why they cannot seek the opinion of the people down there [at grassroots]. Other people were eventually taken. The women that were abducted, the child mothers as we call them, were eventually involved in talking, asking their husbands to come back. So I think this time the community members were involved (KI, CSO representative, Gulu District).*

*The conflict became worse and [was] recognized as a [major] conflict in 1996 after the abduction of the Aboke girls [students from a Catholic Girls' Boarding School]. That became a big event and an eye opener for the government and religious leaders. That is the time everyone started working towards peace (KI, CSO representative, Gulu District).*

There was delayed involvement of community members in the peace processes partly because at the start of the war, the conflict was perceived to be between the LRA and the GoU. Also, it was partly because people at the grassroots focused on leaving the IDP camps and rebuilding their lives after the war. Further, domination of the peace process by the elite discouraged community participation:

*The conflict you are talking about is not a home-based conflict between the Acholi as a whole and the government. It is a conflict between the LRA and the government. So*

*we the ordinary people cannot be involved in resolving it (Female FGD participant, Ocettoke Camp, Kitgum District).*

*When the peace process commenced in Juba, the primary focus of the people was [on] leaving IDP camps. They did not focus on participating in the [peace] process. Their immediate focus was [on] starting to rebuild their lives, so whatever was taking place in Juba did not really take a lot of people's time and effort (KI, CSO representative, Kitgum District).*

Perceptions about the nature of the conflict may have impeded the level of community participation but it seems that the IDP community were deliberately marginalised. This view is in line with Kālin's assertion (in Koser, 2007) that IDPs are rarely consulted or represented in peace processes; that their particular circumstances are often overlooked in the language of peace agreements; and that peace building initiatives often overlook them.

Many respondents' perceptions included the following: that the community members participated in the peace process in a number of ways, ranging from advocacy and influencing their leaders, to establishing direct contact with the LRA, to facilitating the return and reintegration of LRA ex-combatants, to participation in warfare:

*The issue of influencing the local leaders, traditional leaders and church leaders to go and negotiate with Joseph Kony started from the local community. That is how they were involved in the activities through radio announcement, telephone calls and local gatherings within the community (Male FGD participant, Coope, Gulu District).*

*Col. Ochora and other Acholi leaders – religious leaders, elders, parents of the rebel child fighters – all went to the bushes before government. They are the ones that paved the way. They went all the way to [the] DRC and met Joseph Kony. They [local leaders] would first open the way then they would ask for government and donor support (KI, local government official, Gulu District).*

*There are other people [former combatants] who came quietly and stayed at home until now. They are not even known by the Amnesty [Commission]. The community gave them space to stay and they are there living with the people (KI, CSO representative, Pader District).*

Respondents spoke of how the community contributed both in terms of peaceful efforts to resolve the conflict, and in terms of the provision of personnel to fight the LRA:

*There was an elder from the royal clan of Koc who was known as Olanya and his colleague who was a royal guard called Ogoni. After the 1994 peace talks flopped, these two elders followed Kony and they wanted to revive negotiations. Unfortunately, they have not been seen until today. They died in the process. They were part of the civilian community (KI, local government official, Gulu).*

*At a certain point, the energetic youths started volunteering and joining the [government] forces so that they would fight these people [rebels]. We call these people [volunteer] vigilantes. Here we had 227, and they were all armed. They would go to fight these rebels (KI, local government official, Amuru District).*

*At the initial stage, the community tried to organize themselves and fight the rebels with bows and arrows and this led to massive killings, limb cutting, removing of ears, and cutting of hands by rebels because of the bad images portrayed by the community (FGD participant & female war-victim, Unyama, Gulu District).*

One key informant stated that during the Juba peace talks, both the LRA and the GoU consulted with the community on the ICC question:

*When the ICC question came up in the Juba talks, the representatives referred the matter back home. They said you go and ask them [the people]. The government team came and the rebels' team came, to find out whether Joseph Kony and his colleague indictees should be prosecuted by the ICC. They traversed the country and went back [to Juba]. That was still community participation (KI, local government official, Gulu District).*

Although a number of respondents said that there was some degree of community participation, it appears that citizens only became involved after elite-led processes had failed or if they needed support from grassroots.

Many key informants reported that ordinary people did not play a direct role in the Juba peace talks; they played indirect and sometimes peripheral roles, often as passive observers:

*Ordinary people did not directly play a role in the Juba peace process. They created conditions that necessitated peace; they were demanding peace and they were expressing their worries, which went to government through their representatives. Their political representatives stood for them, but also civil society representatives from here, including religious leaders, traditional leaders and elders (KI, local government official, Gulu District).*

*Ordinary people, and many of the civil society groups, played more of a peripheral role than actually direct participation in the negotiations. Although they were playing peripheral roles, in my view they were equally important. They [community] played a*

*big role in confidence building, even if they were not necessarily directly in the talks (KI, CSO representative, Kampala).*

It could be concluded that the nature of participation in conflict resolution by the Acholi population was minimal in nature, since they were often viewed as victims of the conflict. The peace process in Northern Uganda failed to take into consideration the political agency of the Acholi population and their relationship with government on the one hand, and with the LRA on the other (Branch, 2005:1). In such elite-level peace process, there is a failure to connect with the everyday experience of citizens (Mac Ginty, 2005). It should, however, be acknowledged that the peripheral role played by the community leaders (religious/cultural) and CSOs was also critical for the peace process.

Respondents shared their views on how they were excluded from the Juba peace process:

*For us in this village we had very little chance to participate in the Juba peace process, and our needs were inadequately catered for (Female FGD participant, Laroo, Gulu District).*

*They [peace teams] collected views, yes, but I think they were not considering the local communities. The people who came [to the consultative meetings], for example in Gulu, were about five people, those who were working in the NGO sector. There was somebody from Acholi Religious Peace Initiative giving their views. There were district officials as well. I did not see any local community member (KI, INGO official, Gulu District).*

Respondents spoke of how previous peace processes failed because of the exclusion of community members:

*We learn lessons from the Pece and Bigombe peace talks [1988 and 1994 respectively]. These peace talks failed because the community was not involved. It was the top people. It was mainly one person trying to negotiate, assisted by some top people. The community members were either just looking on or [they] were not there (KI, CSO representative, Gulu District).*

At the same time, it was not realistic to consider community members' direct participation at the highest levels of negotiation:

*Of course, not everyone can go into the room and say I want also to talk. Where will you sit? So for them [the community] going directly, they did not (KI, local government official, Gulu District).*

*They [the citizens] did not really contribute to the [Juba] peace process (KI, local government official, Gulu District).*

The voices above seem to validate Oxfam International's (2007:13) findings that during the Juba peace talks, the closest action to bringing in a semblance of community representation occurred in October 2006 when the Chief Mediator invited civil society leaders and members of the Ugandan parliament representing Acholi to join the talks, but the LRA delegation rejected their participation.

Further, it appears that community participation had an urban bias, with the urban elite (NGO representatives, religious leaders, cultural leaders) being elected to the near exclusion of rural people. Although community participation is neither a panacea for all community problems, nor the missing ingredient at top level negotiations, it is essential for identifying and dismantling the political, economic and social arrangements that foster increasing disparities between the elite and the grassroots (Morgan, 2001:229).

**Key points: the nature of community participation in conflict resolution (section 4.8.4 Nature of Community Participation:164)**

- Local people were involved in the early conflict resolution efforts.
- The community participated in conflict resolution through advocating via influential leaders; establishing direct contact with the LRA; and facilitating the return and reintegration of LRA combatants.
- The community was largely excluded from the top-level Juba peace negotiations.

**Source:** FGD & KI Qualitative Data

#### **4.8.5 Level of Community Participation**

Many respondents reported that the level of community participation in the Juba peace process was low, and that the community did not contribute adequately to resolving the conflict because leaders in established positions were identified to 'represent' communities:

*I feel the community has not contributed much in getting solutions to the LRA insurgency (KI, radio programme host, Gulu).*

*Community members did not directly participate. Leaders in known positions were automatically identified when the need for civil representation came (KI, local government official, Gulu District).*

*Those who went to Juba were top politicians; civilians didn't go. What was happening in Juba was so politicized or seeking for personal wealth. Those who went represented their personal interests. Not a single ordinary person was included on the Juba list, but you would hear LC5, Major, or RDC<sup>46</sup> (Female FGD participant, former abductee, Unyama, Gulu District).*

A major attempt to solicit input from the community occurred when the negotiating teams in Juba were discussing the agenda item on responsibility and national reconciliation:

*They [peace teams] consulted at different levels; at national level, Kampala level and also the local level, where they had opportunity to directly interface with the people (KI, CSO representative, Kitgum District).*

*The most significant phase where people [the local population] had their input directly incorporated was on Agenda Item No.3 [accountability and reconciliation] yet we had up to five items on the agenda. The first one and the second one did not really get the views of the people. The third one, yes. The fourth one, no. If I was to rate it, community participation was about 20–30% (KI, CSO representative, Kitgum District).*

One respondent said that the general question about Kony put to Ugandan people by the two peace teams was regarded as a form of participation:

*We [LRA and GoU peace teams] toured the whole of Uganda, consulting. In the consultation, the question to the people was: “do you want Kony to be taken to court, or do you want to forgive him?” The whole of Uganda said they want Kony to come back to reconcile with government (KI, member of the LRA Peace Team).*

The consultation process and its outcome were poorly planned and implemented:

*In terms of [the consultation] process, I think it was like feedback to people on what was going on [in Juba]; [it was] met with resentment and emotion. In the end, the aims of the consultation were not achieved. The community who should have taken advantage of that was not guided on how they should have presented their issues. The presentations were full of emotions and expressions of disappointment. Even the*

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<sup>46</sup> The LC5 chairperson is the elected political head of a district; the RDC is the central government representative in a district; Major is a military rank assigned to mid-level Senior Officers.



*consulting team did not have any idea on how to move the process [forward] and how to deal with the shock (KI, CSO representative, Kitgum District).*

Community members went to the consultation meetings out of curiosity:

*Some members of the community went [to consultative meetings] out of curiosity to see these people [the LRA negotiators]; there were some who originated from the very communities they were facing, so there was excitement and emotion. People had never seen Matsanga [head of LRA peace team] for example (KI, CSO representative, Kitgum District).*

Regarding the question of whether to prosecute or forgive the LRA leader, one respondent in a study by Agger (2012:4) argued thus:

*We cannot forgive Kony. He is the mastermind behind the LRA, and the one responsible. He should be prosecuted.*

The exclusion of ordinary people from the process might mean that their needs were not properly represented:

*We lose a lot if we do not involve them [community members] and for me I think that is one of the reasons why the peace process failed. We do not know what they are facing; we cannot assume that because we have been reading in the newspapers, listening to radios, watching TVs, that we are representing them. No, we have to go and understand from them what they are going through and how they want their issues to be addressed (KI, INGO official, Gulu).*

One respondent spoke of how some of the community contributions came nearly too late to make a difference:

*Various consultations were made but these consultations did not quite feed [into] the peace process because the consultations that were made came towards the last agenda item, towards the end of the peace talks in Juba (KI, CSO representative, Kitgum District).*

In conclusion, it appears that there was minimal direct and some indirect participation by ordinary citizens in the Northern Uganda peace process. They participated directly in the initial stages of formal talks and in some cases initiated them, but also during the informal processes initiated by local leaders. Nonetheless, generally there was very little community involvement. This situation is not unique to the Northern Uganda peace process. In Northern

Ireland, too, the multi-party talks leading to the Belfast Agreement took place behind closed doors. Although the public was aware of the process, there were few official channels to allow input into the content of the agreement being drafted. This created a degree of concern amongst organized civil society, and it created a barrier to ‘bringing along’ the public in support of the Agreement. This was exacerbated by selective leaks amongst the actual participating parties to ‘spin’ their side of any particular argument in order to gain political advantage. This made the task of selling the Agreement to the public in the subsequent referendum, scheduled for only six weeks after the Agreement had been signed, all the more difficult (Oliver, 2002:92).

**Key points: the level of community participation in conflict resolution (section 4.8.5 Level of Community Participation:169)**

- Local people and their leaders established the initial contact with the LRA long before the official teams & were involved in the early peace initiatives to some extent.
- Community perceptions were that the conflict was between the LRA and the GoU.
- The elite dominated the peace process.
- During peace talks, community members did not interface with negotiators and observers.
- The community consultation process was not successful due to a lack of planning and poor implementation.

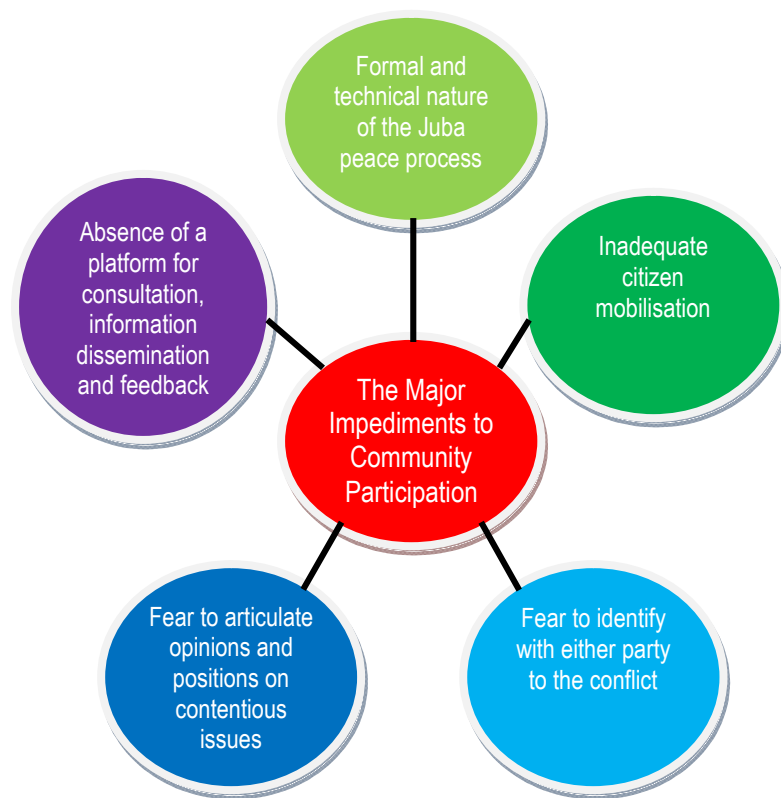
**Source:** FGD & KI Qualitative Data

#### **4.8.6 Impediments to Community Participation in Conflict Resolution**

The impediments to community participation in conflict resolution are rather nuanced with most impediments lying within the socio-economic fabric of the community.

This study reveals a number of impediments to community participation in the Northern Uganda conflict resolution process: the highly formal and technical nature of the Juba peace process; inadequate citizen mobilization; fear to identify with either party in the conflict, hence a fear to articulate opinions and positions on contentious issues; and the absence of a structured channel for consultation, information dissemination and feedback. Some of the impediments were experienced during the armed conflict, while others were experienced after the end of the conflict. Some impediments were cross-cutting and were experienced during and after the conflict.

**Figure 15: The Major Impediments to Community Participation in Conflict Resolution**



**Source:** FGD & KI Data

▪ **Impediments during armed conflict**

During armed conflict, the major impediments were: the inadequate connections between communities; the demands of the formal peace process; the psychological and emotional effects of the war; the structural factors of violence, plus fear of reprisals, persecution and death.

▪ **Inadequate connection with the community**

The peace talks in Juba lacked meaningful connection with the community:

*The Juba peace process had no contact with the community. It became almost administrative – that something had to be done in Juba and the rest were expected to follow (KI, local government official, Gulu District).*

*The planning process [of the peace talks] and the methodology did not [leave] room for the common man, those who actually lived and experienced every bit of the conflict, to participate in the [peace] process (KI, CSO representative, Kitgum District).*

Respondents mentioned that the Juba peace process seems to have been an academic exercise with limited citizen participation, and with no clear strategy for taking in their contributions:

*People did not understand the Juba peace talks very well, not the ordinary people. I think it was some kind of academic discussion (KI, opinion leader, Kitgum District).*

*There were only few [participants] who had the opportunity to be in the negotiation room. Most of them were having smaller meetings with the government of South Sudan, meeting the team from the rebels or meeting the team from the government (KI, CSO representative, Pader District).*

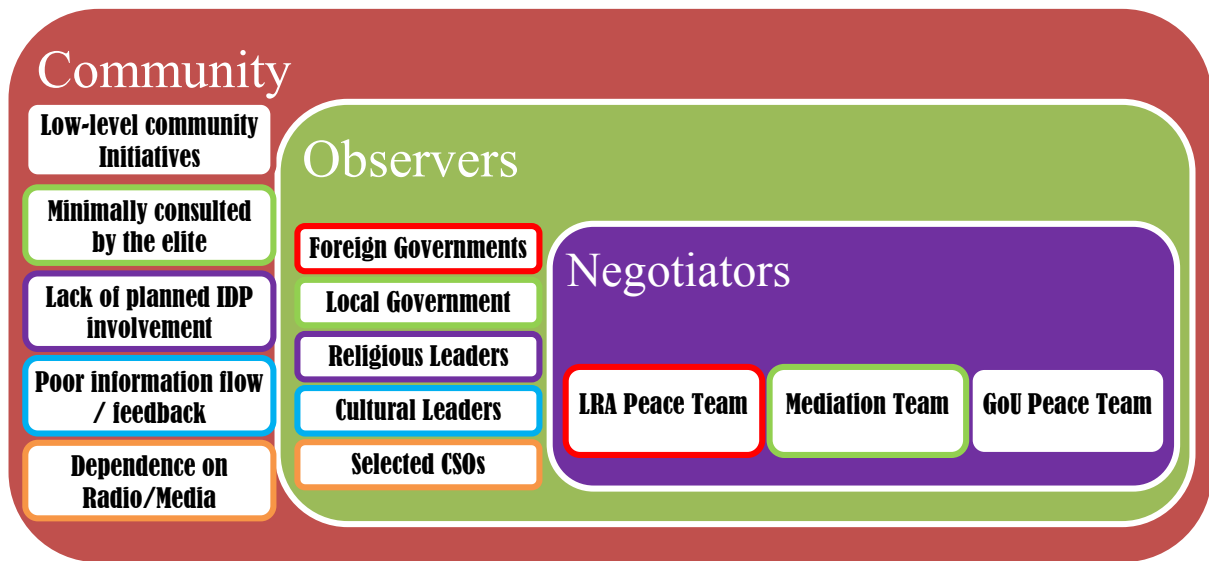
Two key informants added:

*People participated by giving their support though not understanding the ingredients of the discussions (KI, opinion leader, Kitgum District).*

*The challenge was that there was not a clear methodology put in place by the stake holders in the peace process to harness the contribution of the community (KI, CSO representative, Kitgum District).*

It appears that there was a definite absence of a clear strategy for including ordinary people in the Juba peace talks at several levels and not only at specific phases. This could be due to several factors: the complexity of the conflict may have made it difficult to bring in the voices of the ordinary people; and the ‘elite’ may have felt that the negotiations had to be handled at the ‘top level’ without the involvement of community members due to vested interests. A greater transparency would have been needed in explaining the peace process and the role of the main actors to the ordinary community members, but this was not forthcoming. The following diagram illustrates the peripheral roles adopted by community members in relation to other role-players.

**Figure 16: The Marginalization of Community Members in the Peace Process**



Source: KI & FGD Data

Key Informants explained that the exclusion of ordinary citizens was motivated by politicians' need to protect their 'political space' and driven by some 'economic motives':

*You see, once somebody has a [political] position at stake, he will fight for it. Political leaders know they are elected, they have passed through competitive politics, so to increase his rating, he/she has to participate in those things [peace talks] alone. That is what makes them say that there was no need for grassroots leaders or representatives; they are protecting their space. That is the nature of politicians: they do not want to work in groups, unless that group is in their favour (KI, cultural leader, Gulu District).*

One respondent indicated financial gain as being the main incentive for politicians:

*When the issue of going to Juba came up, people began looking for how they can 'swell their stomachs'. The issue was diverted to "peace dollars" instead of peace talks. The issue of peace dollars caused selfishness among the leaders who never even wanted Kony to sign the peace agreement (Female FGD participant, Pagak, Amuru District).*

The respondent above claims that the limited role of ordinary citizens during the Juba peace process could partly be attributed to the monetary incentives given to the main actors. Contrary to the perceptions of respondents in this study, another study (Koser, 2007) reported that the IDPs did not have democratic structures in place to nominate representatives, so the

*de facto* leaders emerged with political goals that did not necessarily represent the interests of the majority of IDPs.

▪ **Demands of the formal peace processes**

Respondents reported that community participation in the peace talks was partly impeded by their lack of knowledge about formal peace processes, and the inaccessible location of the venue for peace talks:

*What made it difficult for us to select a representative is [a] lack of knowledge about the peace process and the distance to Garamba and Juba. There was also the fear of the rebels because some people thought that, if they talked too much, the rebels might harm them. The time frame given for the peace process was short and all the agenda items were not successfully discussed (Male FGD participant, Coope, Gulu District).*

*The formal system of peacemaking was not appropriate for ordinary community members – informal mechanisms could have been better and more appropriate for peace building: technicalities and theoretical approaches to conflict resolution affect community involvement (KI, CSO representative, Gulu District).*

Several key informants spoke of how community participation was impeded by the long and extended formal peace process:

*The [peace] agreements were in phases. It was a lengthy agreement. What people were waiting for was the final agreement that would say Kony has stopped fighting and the government also stopped fighting (KI, opinion leader, Kitgum District).*

*There was feedback coming [to the community] that the peace talks were going to be shifted to South Africa. Others were saying it should be taken to Italy. So people said, how long shall we really keep on waiting after two years of the negotiations? (KI, CSO representative, Pader District).*

Inadequate knowledge of procedures and processes of formal and structured peace talks can limit community participation.

Many key informants said that community participation was impeded by low levels of civic consciousness; lack of skills and education; fears of being harmed by the LRA; participants' lack of confidence, low self-esteem and inability to express themselves in the English language; and citizens' confidence in their representatives:

*Ignorance is one of them [the impediments], in a sense that community did not know their roles. What roles are they supposed to play in the process? (KI, local government official, Amuru District).*

*People [negotiators] speak in English and yet these rural women articulate themselves best in their local languages. It is not just the women but even the men; [the] majority of them are illiterate. They cannot articulate [their] views in English. That is a very big stumbling block to the rural women and men (KI, INGO official, Gulu District).*

*People think their views can best be sent through representatives, whether elected leaders or appointed leaders. They think “if the paramount chief is there, he is there on our behalf”, not knowing that the paramount chief as a person is just not enough. He needs your voices. You should hold him to account (KI, CSO representative, Kampala).*

In a study of decision-making groups and their role in devolved governance, Abelson and Lomas (cited in Frankish *et al*, 2002:1471) found that citizens indicated little interest in decision making, while elected officials were the most willing to get involved in decision making processes.

One key informant stated that the community tended to assign authority to traditional decision makers such as elected officials, experts and government personnel:

*The lack of skills, education, etc among most ordinary community members are major challenges, so they [community] could not have effectively represented themselves (KI, cultural leader, Pader District).*

Several key informants spoke of how community participation was impeded by positions taken by influential leaders, and also stated that community members were more interested in the release of abducted children rather than being included in the peace process:

*Among the Acholi, once the paramount chief has pronounced himself on an issue, no other [Acholi] authority can challenge that position (KI, cultural leader, Gulu District).*

*Some of them [ordinary people] would say for us we are not interested in being sponsored to go there [to Juba]. All we want is for Kony to release our children who are still in captivity, or we would like them to say sorry for what they have done to us the victims (KI, radio programme host, Gulu District).*

Some respondents were sceptical, and expressed a lack of faith and trust in the peace process:

*People had become tired of the cat and mouse game; it was like some kind of a circus. I mean is it okay for us to participate? Aren't we only wasting our time? Is it going to make sense? Is this guy [Kony] going to come out of the bush and we go back to our homes? So this [peace process] was like a good gamble, it had stopped making sense to people (KI, local government official, Gulu District).*

Another respondent added:

*Sometimes they [the population] say there is no trust in Museveni's peace talks. Whatever is going on in the name of government is just a joke. He [Museveni] is not serious (KI, CSO representative, Pader District).*

However, it should not be assumed that all people were interested in participation (Pilisuk *et al*, cited in Zakus & Lysack, 1998:8) since, according to Sawyer (1995:19), making such an assumption could lead to problems between professionals and community members. Because citizens tend to have varied interests, the demand for participation and an equal role in decision making is not as sustained as perceived by many scholars and practitioners (Checkoway, 1981; Morone & Marmor, 1981).

One key informant explained how women had to undergo training as a prerequisite for effective participation in the peace talks, but they were never taken to Juba:

*We trained a cross-section of elite and ordinary women leaders with the expectation that some of them would participate in the Juba peace process, but they were never involved. Some of the trainees went to Juba in individual capacity hoping to influence official negotiators (Female KI, CSO representative, Gulu District).*

#### ▪ **Psychosocial and emotional effects of the conflict**

Key informants said that community participation in the Juba peace process was impeded by a number of psychological and emotional effects of the conflict; these included a lack of confidence, and severe emotions:

*The impediments I would think of are: lack of confidence, the inability to chronologically present issues, expound on the issues and act outside emotion. Psychologically, the impact of the war has been serious (KI, CSO representative, Kitgum District).*



*During discussions about the LRA, some people would end up crying. At times you would see them shaking with anger. At times, they would even mention that if they [LRA] were here, some of us would do even more harm than they have done to our people (KI, radio programme host, Gulu District).*

Another respondent added:

*We took some women from Kitgum. As soon as we reached Juba, they started to cry at the negotiation venue. All of a sudden, people said, 'why did you bring these women to derail us?' In fact, to some extent they blamed women, when there was a stalemate at that particular time. They said it is the women who came here to cry and to raise our emotions. Issues to do with negotiations sometimes do not need emotions (KI, women activist, Kampala).*

▪ **Human security and human needs**

Focus group participants spoke about how community participation was impeded by structural and physical bottlenecks, such as the distance to the negotiation venue, the breakdown of IDPs' social networks, the health status of citizens, widespread poverty and financial constraints:

*The physical distance between IDP camps and other settlements, coupled with widespread insecurity made it impossible for communities to interact and build grassroots networks for peace (Female FGD participant, Ongako Sub-county, Gulu District).*

*There was a breakdown of social networks due to internal displacement – some families, and sometimes entire clans lost touch, hence their inability to continue engaging in conflict resolution initiatives (Male FGD participant, Ongako Sub-county, Gulu District).*

Another focus group participant added:

*The extremely pathetic health conditions in IDP camps, including inadequate health services increased the disease burden on the community and perpetuated an unhealthy and unproductive population that could not meaningfully talk about peace and conflict resolution (Elder, FGD participant, Koch-Goma Sub-county, Amuru District).*

A key informant explained the difficulty of financing their participation in the Juba peace talks:

*Even if the communities had wanted to participate, it was very difficult for anyone to come out openly and support their participation. Those of us [CSOs] who participated were sponsored. The UN facilitated a bigger part of the budget for the peace talks (KI, CSO representative, Kitgum District).*

The breakdown of social networks can lead to the breakdown of citizens' engagement initiatives, social dislocation and a lack of social cohesion leading to violence, yet such social networks are essential for promotion of post-conflict recovery and reconciliation. In this regard, Nordstrom (2004:68) contends that violence and social dislocation can permeate into the entire fabric of everyday life of a society.

Further, the aforementioned findings seem to validate Chambers' (1983) deprivation trap theory. Chambers (1983:108-138) identifies five interlinked elements (clusters of disadvantage) that combine to form a 'deprivation trap', these are: poverty, physical weakness, vulnerability, powerlessness and isolation. Chambers (1983) argues that these clusters interact to trap people, mainly rural people, into clusters of disadvantage.

#### ▪ **Fear of reprisals, persecution and death**

Both key informants and focus group participants explained how community participation in the Juba peace process was impeded by fear of reprisals, persecution and death:

*When rebels would identify you as somebody who wants to talk them out [of rebellion], they would kill you just like they killed the traditional chiefs. The killing of those chiefs created so much fear in people (KI, local government official, Pabbo Sub-county, Amuru District).*

*Your involvement in talking with your son who is in the bush: if you do it without informing the government forces, they would take you for a rebel collaborator. When you get that permission, the rebels must not know (KI, local government official, Pabbo Sub-county, Amuru District).*

*They [citizens] obviously feared going to meet Kony. If you had been here and they tell you that, tomorrow you are going to meet Kony, you would be uneasy! For instance, Kony said he wanted to behead the late Col. Ochora (KI, CSO representative, Gulu District).*

FGD participants said thus:

*What I consider to be the most important [impediment] is fear of persecution from both LRA and Government of Uganda forces because we saw some people being killed at the hands of both the LRA and the government soldiers for supporting one side (Male FGD participant/former abductee, Layibi, Gulu District).*

*The fear was both sided. Both sides were brutally and blatantly punishing people. For us the ordinary people, we were barehanded and our only weapon was a concerted voice (Male FGD participant, Coope, Gulu District).*

The fear factor was critical in determining the level of community involvement in the peacemaking process in Northern Uganda. The participation of community members in peace processes can expose individuals to risky situations. In Colombia, for instance, armed actors used threats, assassinations and disappearances to dissuade IDPs from pursuing peace (Koser, 2007:24-25). Similarly in Liberia, CSO representatives and community members invited to participate in the Liberia peace process were threatened with death (Hayner, 2007:28). In Acholi, religious and cultural leaders collected the stories of ordinary community members thereby shielding these members from victimization by both LRA and GoU.

#### ▪ **Impediments after armed conflict**

Conflict-affected communities in Northern Uganda continued to experience impediments to participation in the conflict resolution process even after cessation of direct hostilities. These included low levels of confidence, low self-esteem and socio-cultural changes, as explained by the FGD participants below:

*Because of this war, many of the community members here, particularly us the women, we have very low levels of confidence and self-esteem. We think that we cannot speak anything sensible in public. This is partly psychologically instilled in the minds of the population as a result of prolonged conflict (Female FGD participant, Atanga Sub-county, Pader District).*

*You see this conflict has changed many socio-cultural aspects of the Acholi culture. Now there is a diminished role of elders and increased involvement of young people whose social profile is less significant in a society that attaches great importance to age and experience (Elder, FGD participant, Atanga Sub-county, Pader District).*

Another FGD participant explained how the resumption of hostilities affected community reconciliation initiatives:

*There was resumption of hostilities between LRA and UPDF in the DRC and the CAR even when the peace talks were taking place in Juba; this seriously frustrated ongoing local community efforts to accelerate reconciliation at the micro level (Elder, FGD participant, Ongako Sub-county, Gulu District).*

After the cessation of direct hostilities, it could not be assumed that the conflict was over. At this stage, the conflict might only have changed form and might in fact continue to manifest in different forms while the community was beginning to experience negative peace; in other words, the structural and deep-seated root-causes and drivers of the conflict remained unchanged (Galtung, 1996).

- **Cross-cutting impediments to community participation**

The study reveals a number of cross-cutting impediments to community participation; these include social-cultural factors, perceptions and stereotypes, poor socio-economic conditions, plus poor mobilization, communication and feedback.

- **Social-cultural factors, perceptions and stereotypes**

Key Informants explained how perceptions and stereotypes about young people and women affected community participation, and how these could have contributed to the failure of some of the peace initiatives by a female mediator in Northern Uganda:

*Elders and men think women should not talk in public, and that the youth do not have any experience to share in public: they are simply young people (KI, CSO representative, Gulu District).*

*The Betty Bigombe peace initiative of 1993-1994 was failed by her male counterparts. They wondered how “a mere woman” could bring peace to Acholi. She had made a major breakthrough for peace with LRA rebels but was grossly undermined by the men (KI, CSO representative, Gulu District).*

*I think Bigombe did play a good part [in the peace process]. But as you know, in Acholi, in a matter of this nature, they will not take a woman seriously. Even the olum [LRA rebels] said, “madakadakamumwa”, which means, “this is just woman talk”. Does she understand? In Acholi, whoever it is, they say no. This matter? Not a woman. There are certain things women can do, yes, but not this one. So the LRA never took her seriously. More so the name Bigombe, “aman ma tikuja”, she is a wife of Bigombe, she is supporting her husband (KI, opinion leader, Kitgum District).*

From these quotes presented it would appear that, the Acholi generally do not take women seriously, especially in conflict resolution processes. In Nepal, Khakurel (2008) and Rai

(2008) found that women's representation remains low, that their rights are violated, and that their role is negligible. But this gender bias is not entrenched in all societies. For example, there were some women participants during peacemaking processes in Sudan and Northern Ireland (Conciliation Resources, 2013:11).

One key informant argued that gender was not an issue:

*I do not think [Bigombe's] being a woman was a factor. People knew Bigombe; she was a very well educated person. She was already holding a responsible position [she was a Government Minister] (KI, opinion leader, Kitgum District).*

However it seems that the male domination at the Juba peace talks had worked against the active role of women. Women delegates to Juba were viewed more as wives, mothers and sisters, not as political representatives of the women constituency:

*In [terms of] influencing decisions [of the Juba peace teams], the majority of the people there were men. It is very hard for women to convince men to put forward their issues because the majority of the issues were those affecting women (KI, INGO official, Gulu District).*

*When it came to the LRA, the chief spokesperson started by diluting and trivializing our presence and said, "Our dear sisters, wives and mothers..." I shot up and said, "Please, we are being on record, we are delegates. We are not here 'house-wifing or mothering'. We have come here as delegates" (KI, women activist, Kampala).*

*Even during 'mato-oput', which is a [traditional] conflict resolution mechanism, men are the ones who do it. The women play ceremonial roles of cleaning and cooking food (KI, INGO official, Gulu District).*

Some of the impediments to women participation are related to public perceptions (Conciliation Resources, 2013:14). For instance, Khakurel (2008) contends that women in Nepal are considered unsuitable for decision-making roles, since most institutions of society (government, judiciary, the civil service, security forces, and political parties) are dominated by men. It would appear that Acholi society is still very much entrenched in rigid patriarchy.

The findings of this study show that there are still deep-seated and culturally constructed gender norms, attitudes, beliefs and practices, which need a sustained advocacy strategy and engagement. To respond to such issues, there is a need for an approach broadly known as

gender-transformative programming, which is crucial for understanding and systematically dialoguing on gender issues in conflict and post-conflict settings (Rottach *et al*, 2009).

Nonetheless, regarding women peace activists in conflict contexts, their identity as women gives them qualities that bring something special to their work. The stereotyping is not without its uses though; the widespread perception of women as natural nurturers gives them some window of opportunity to achieve their goals if they are willing to deploy these advantages wherever they can (Conciliation Resources, 2013:12).

▪ **Poor socio-economic conditions**

Both KIs and FGD participants highlighted various socio-economic conditions that could have affected community participation; these include community members' focus on survival and on ensuring livelihoods for their households instead of the peace process; the prevalence of poverty; the lack of facilitation by government; and a biased selection procedure:

*People were concentrating more on their livelihoods, more tangible things that would make them have life every day, [rather] than thinking about Joseph Kony, whom they totally believed was not even going to come out, or sign the peace agreement, [and] which he did not sign anyway (KI, local government official, Gulu District).*

*Going there [to Juba] needed money yet for us our major problem was money. In fact, we are too poor to buy even a small radio to listen to what transpires around the world, so poverty was our major impediment. Also government did not facilitate the ordinary people to participate. If government wanted us to participate, they would have provided the logistics (Male FGD participant, Kiteng, Pader District).*

Lederach (1997:52) suggests that people in conflict situations are in 'survival mode' and that they may be preoccupied with meeting basic human needs (such as shelter, food and safety). In such a context, efforts directed at peace and conflict resolution can easily be seen as secondary concerns. And yet, in conflict situations, peace efforts are an absolute necessity, since there is interdependence between the presence of peace and meeting one's basic needs.

▪ **Poor mobilization, communication and feedback**

Many respondents spoke about how community participation in conflict resolution could have been affected by poor mobilization, communication and feedback. In particular, representatives' outreach activities seem to have had an urban bias. There were challenges in

sending people who truly represented the communities, and there does not seem to have been sufficient community ownership of the peace process:

*Communities do not own the peace process, and they remain confused. You ask the ordinary person deep in the village; they will not tell you anything about the Juba peace talks. That is a clear sign that there is no community ownership of the process (KI, local government official, Amuru District).*

*The major problem was that, there was a communication gap between the district leaders and the peace teams themselves, because they at times communicated with district leaders only and due to the work load at the district, the district officials may not extend the same communication that they are given from the peace teams to the people at grassroots level (KI, local government official, Amuru District).*

*Although there was enthusiasm at some point, with some civil society efforts to rally women groups, youth groups and so on, some of them had their own problems. You doubt also whether they were actually representing certain groups. Because if you come to Kampala, you are meeting in a posh hotel, you speak with a few people here and there, smart guys write the recommendations or the memorandum, and then [you] go to the plane. And you say we are sending the views of the women of Uganda? (KI, CSO representative, Kampala).*

The study findings thus suggest that Acholi local communities were victims of what Chambers (1983:13) describes as ‘urban bias’ – in this case the outcomes of the peace talks did not reach those in rural areas.

Some key informants spoke of how they did not feel valued, because they were neglected. The attitude of LRA and GoU peace teams affected the involvement of local communities:

*There is the feeling that the community is less important in the process. This is a feeling by most leaders. And that is why the reporting [feedback] process is poor. It is not up-to-date because they feel, they [citizens] are not important in the process (KI, local government official, Amuru District).*

*The GoU and the LRA thought that the conflict was their problem and that they could solve the problem by themselves. They did not think that the problem also concerned ordinary people (KI, religious leader, Kitgum District).*

Under the prescriptive model of conflict resolution, Lederach (1995:48) argues that the elite may consider themselves as experts about the peacemaking and conflict resolution process. Thus, in Northern Uganda, the leaders’ attitude was partly responsible for the limited

participation of ordinary community members. Barnes (in Van Tongeren, 2005:20) postulates that, if the community and organized civil society are excluded from the peace process, or if their real needs are not addressed, they are less likely to work actively towards its implementation.

**Key points:**

**Impediments to community participation during conflict (section 4.8.6  
Impediments to Community Participation in Conflict Resolution:172)**

- Lack of connection between elite negotiators and the grassroots population,
- The grassroots population were limited in their capacity to take part in the formal negotiations The war affected the local population emotionally and psychologically,
- During the peace process, hostilities resumed,
- The grassroots population feared reprisals, persecution and death during the peace process,

**Impediments to community participation after conflict (section 4.8.6  
Impediments to Community Participation in Conflict Resolution:172)**

- Hostilities resumed between the LRA and UPDF in DRC and CAR,
- Low levels of confidence and self-esteem, particularly among women, were prevalent,
- The elders are no longer given the acknowledgement and respect they had in the past,

**Cross-cutting impediments to community participation (section 4.8.6  
Impediments to Community Participation in Conflict Resolution:172)**

- Negative gender and cultural perceptions existed, especially against women and youth,
- Lack of commitment was prevalent on the part of the elite representatives,
- Poverty and lack of basic needs were primary concerns,
- Poor communication existed between the elite and the masses, leading to exclusion of the grassroots especially the rural masses.

**Source:** FGD & KI Qualitative Data

#### **4.8.7 Section Summary**

Citizen participation is limited in areas where elite actors dominate the local scene with little regard for representation and legitimacy. Elite domination is related to the relative power held by the different categories of participants. In such a case, the elite may use the information in their possession to further control the local communities. Women's voices may remain marginalised and the impediments to local participation could be real but may not be addressed for a variety of reasons.



#### 4.9 Appropriateness of Conflict Resolution Structures

In order for the conflict resolution process to be effective, there must be effective mechanisms to facilitate community participation as a necessary precondition for sustainable peace. In this regard, the need for an inclusive and participatory peace process cannot be over-emphasized. It presents community members with an opportunity to contribute to peacemaking but where peace processes lack such mechanisms the grassroots may remain marginalised. In this regard, Richardson and Waddington (1996:314) contend that for true democratic participation and decision making to take place, there is a need to empower communities, while at the same time tempering the dominant role of professional groups.

##### 4.9.1 Appropriateness of Structures for Engaging Conflict-affected Communities in Conflict Resolution

The study established that there was a lack of appropriate mechanisms for community participation in conflict resolution processes, particularly the Juba peace talks. The location of the peace talks, the multiple roles of the elite officials, and the inadequate information dissemination and feedback mechanisms that were used did not facilitate effective community participation in the peace process.

The location of the venue for the peace talks was not suitable for the involvement of conflict-affected communities:

*The physical location of the venue of the peace talks [Juba] was a hindrance. The location of the assembly areas for the LRA [Garamba in the DRC, and Rikwangba in South Sudan] did not facilitate or enable interaction between LRA rebels and the Acholi community (KI, CSO representative, Gulu District).*

Respondents highlighted how the absence of a clear communication, information dissemination and feedback strategy affected community participation in the peace process:

*There was poor dissemination of information from the peace talks to the ordinary citizens partly because of internal displacement – most people were in IDP camps. The use of ‘word-of-mouth’ for disseminating information was not very effective (KI, cultural leader, Gulu District).*

*The peace process is owned by us the community [only] to a little extent because what was discussed in Juba was not communicated to us, it was kept secret and those who*

*went [to Juba] did not come back to tell us the exact thing that took place in the Juba peace talks (Female FGD participant, Laroo Division, Gulu District).*

The lack or absence of proper information can give rise to what Moore (2003) describes as ‘data conflict’ – that is to say, conflict arising out of information gaps, or misinformation. Further, confusion was generated by the legitimacy of the representatives:

There was an assumption that religious leaders, cultural leaders and CSOs represented conflict-affected communities, yet some of them did not meet with the people and were inaccessible:

*The assumption by religious leaders, cultural leaders and CSOs that they [were] representing people was wrong. Because how do you represent me, and you fail to come to me, to find out my feelings? (KI, local government official, Amuru District).*

*The leaders who went for the Juba peace talks like [...] are very busy people and [it is] difficult to meet them (Female FGD participant, Laroo Division, Gulu District).*

One focus group participant emphasized how community members did not have opportunity to be represented by a person of their choice:

*For us the community we entrusted our political, religious and cultural leaders to represent us; some of them are government ministers who discussed on our behalf but there was no room given to the community to elect a direct representative (Male FGD participant, Laroo Division, Gulu District).*

Study findings point to a need for a structure that enables much more direct citizen participation. However, Strange (1972:657) has argued that, for such structures to work, they must have clear and direct access to the decision-making process, and they must also be empowered by strategies designed to enhance decision-making capacities.

To address some of these challenges, there is a need to avoid selective participation, that is to say, involving only the vocal and more articulate middle range leaders and marginalizing those directly affected by the conflict. In fact, it is critical to identify leaders from conflict-affected communities (Botes & Van Rensburg, 2000:45; Lederach, 1997:37). Also, unless the people are closely involved, through their representative organizations and through organized public opinion, any peace agreement reached remains on shaky foundations (Oliver, 2002).

**Key points: appropriateness of conflict resolution structures (section 4.9.1 Appropriateness of Structures for Engaging Conflict-affected Communities in Conflict Resolution:187)**

- Accessibility to the venue for the peace talks was a problem for the local communities.
- The absence of a clear communication and information dissemination strategy significantly affected the extent to which ordinary community members participated.
- The high-level participants (elite) did not pass on the information to the grassroots.
- There was an assumption that religious leaders, cultural leaders and CSOs represented conflict-affected communities
- The community did not have opportunity to be represented by a person of their choice.

**Source:** FGD & KI Qualitative Data

#### **4.9.2 Suggestions for Future Structuring of Peace Processes**

Peace processes are more likely to be successful when they are structured in such a way that they present opportunities for all stakeholders to make meaningful contributions, and particularly where ordinary people have an instrumental role to play alongside the elite officials.

The study found that there is a need to establish participatory structures and the need to adopt a culturally appropriate approach to conflict resolution.

▪ **Establish inclusive and participatory structures**

Majority of the respondents made a case for the inclusion of local people in peace processes, and emphasised that communities should be allowed to identify and select their own representatives, as this would improve the credibility of such peace processes:

*The community should elect someone they think can talk on their behalf about their interests on the resolution of the conflict. This person elected should be at the level of the villagers (Female FGD participant, Laroo Division, Gulu District).*

*Ordinary people should select, by themselves, their representatives – whether they choose religious leaders, or cultural leaders, or even local government officials, as long as the selected representatives have the mandate of the people (KI, religious leader, Kitgum District).*

*Affected communities should have full representation to take their voices directly to the peace talks. They should have the opportunity to speak directly in the face of perpetrators and actors at the peace talks (KI, religious leader, Kitgum District).*

A peace process that ensures participation of a wide range of stakeholders through an inclusive peace forum will give ordinary people the space to contribute to a peace agenda that represents their concerns. Such a forum will complement other formal paths to peace such as ‘Track I’ negotiations among the elite. This opinion appears to support White’s (1996:8) assertion that participation should be a means of empowerment – i.e. that the practical experience of being involved in considering options, making decisions and taking collective action is transformative.

Many respondents spoke of the need for ‘known’ leaders from cultural, religious and political institutions (the elite) to work alongside the local people ‘who own the problem’:

*There would have been some kind of demarcation, including the people who were at the grassroots [level] sending their representatives in addition to the MPs who represent a whole constituency, which is so large. Like Archbishop Odama represents the whole of Acholi. He would not be able to get all the information down there. He would need some people to come from the grassroots and together they would have formed a more representative force (KI, opinion leader, Kitgum District).*

*If opportunity could be there for the next peace talks then the people who ‘own’ the problem should be taken, not those with big bellies, the rich from Kampala. There is a need to keep changing those going and not keeping the same people on all the trips (Male FGD participant, Ocettoke Camp, Kitgum District).*

*Using participatory methodologies to engage these [war-affected] people in ensuring that there are credible people from within the communities, who have suffered from the same fate like the other members among the people, who are negotiating, is important (KI, INGO official, Gulu District).*

Key informants emphasized that it was important to establish a structure that was representative of all parties to the conflict. One of the responses was:

*When an opportunity opens up for peace talks, there should be a well-structured arrangement that takes into consideration every party to the conflict, even at grassroots level. That would mean creating another parallel structure of victims or community members who will participate in that peace process, without anybody doing it because he feels [more] concerned about it. Then that could give opportunity*

*for that structure to ask those questions: we need women; we need children; we need victims; we need grassroots leaders (KI, cultural leader, Gulu District).*

The availability of mechanisms for public participation in peace processes can be extremely important, yet they do not occur unless people make them happen. This typically involves a substantial degree of both advocacy to ensure that their voices are heard, and mobilization to generate opportunities to enhance capacities (Oliver, 2002:92).

To ensure adequate representation, one of the strategies is the inclusion of a community representative who would be tasked specifically to brief the wider community on the progress of the peace process. However, one respondent argued that existing community structures, both formal and informal, should be used to reach out to the community and to engage them in peace initiatives:

*Community structures, both formal and informal, must be engaged to support peace initiatives. So, rather than creating new structures, these structures just need transformation (KI, CSO representative, Kampala).*

Both key informants and focus group participants proposed that community peacemaking structures should be at clan level and at local government level where the different segments of society are likely to be more effectively represented:

*It [the peacemaking structure] would be at two levels. The first one is at clan level. At the clans, women must have their own space for them to discuss, tease out, interrogate and share [their] experiences as women. Two, the elders will have their places at the Wang'oo<sup>47</sup> where they carry out their influential discussions. Then the youth must be reached. The second level is the local governments, which must have the capacity to oversee, to coordinate, and even serve (KI, women activist, Kampala).*

*Once there is conflict among people, consultation must begin from the lower level up to the upper leaders and there must exist a channel through which matters are taken. This was not the case with the conflict resolution in Acholi land (Male FGD participant, Pagak, Amuru District).*

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<sup>47</sup> Wang'oo is an Acholi traditional fireplace event used for teaching, storytelling and reflecting on past and current events; it was a forum for the socialization of the young ones.

One key informant proposed the inclusion of elite stakeholders even at grassroots level in order to add insights which the local community may not have:

*Grassroots engagement should be in terms of documentation, in terms of grounding with national and international standards, conventions and resolutions. It should be blended with boardroom activities and experiences; otherwise, they will also be just real grassroots (KI, women activist, Kampala).*

Thus there could be mutual complementarity when local people and the elite work together. Respondents suggested that clans and local governments needed to establish peace forums based on decentralized local government structures to create a space for citizens to engage in dialogue about peace. This would lead to the realization of the notion that sustainable peace structures needed to start from the grassroots level up to the top level, or what Lederach (1997) describes as ‘peace building from below’.

Finding practical mechanisms for involving women and men, plus other key stakeholders in the peace process from the beginning would be a win-win strategy (Conciliation Resources, 2013).

One respondent proposed the establishment or utilization of existing structures that promoted information gathering and sharing at different levels:

*In Acholi, they have the district reconciliation and peace teams (DRPTs). Do you know who goes for the meetings? The likes of CARE [an International NGO]. The other [ordinary] person is not represented. We are talking on their behalf. But do we really stay there [in the community]? If strengthened, such a forum can help people to articulate their issues (KI, INGO official, Gulu District).*

Two key informants spoke about how local communities, particularly women, seemed to prefer informal processes to formal ones:

*Find innovative ways of handling dialogue in such a way that it should not be formal. If communities or community leaders are empowered to hold their own meetings, people can bring out their issues; that kind of informal and innovate way of thinking can be applied to many communities (KI, CSO representative, Pader District).*

*The workable way of ensuring that women participate is just creating a mechanism for information flow, creating linkages between the different stakeholders. You may not need the views of the local community now and then. You do not have to run down*

*there to consult everyone all the time, but there are few people within that place that you can call and get information from (KI, INGO official, Gulu District).*

Respondents proposed that community representatives should be prepared to participate in the peace process, with emphasis on women-led and women-specific peace initiatives:

*The peace process involves first of all capacity building, where one is prepared to negotiate or to participate in such a process. I think the ordinary community would require a lot of that preliminary preparation to have their capacity built in terms of building confidence (KI, CSO representative, Kitgum District).*

*First, include women-led initiatives and women individuals in formal processes by documenting and celebrating their experiences. Second, ensure practical involvement of women from the grassroots, from the districts, in peace processes by building their capacities (KI, women activist, Kampala).*

Building the capacity of women and men, and enabling them to use and share their war-time experiences is vital for peace building and post-conflict recovery and development. Thus, women should particularly be provided with affirmative-action opportunities that include training, exposure and exchange visits to address and demystify cultural stereotypes.

▪ **Adopt a culturally appropriate approach to conflict resolution**

Cultural activities, such as traditional music, dance, drama, folklore, storytelling, and other cultural ceremonies, are socially accepted as appropriate vehicles for communicating peace messages and advocating for the end to violence.

Respondents proposed the adoption of creative, innovative and culturally appropriate ways of giving the local people a voice in peace processes:

*The peace process needs some activities like songs and dances, which reflect peace. Those activities should be emphasized in all the Acholi communities so that the young generation learn [about] the danger of conflict and [so that they learn] how to resolve it (Male FGD participant, Coope, Gulu District).*

*There are ways of telling how people themselves want to be represented, especially on critical issues like peace building. One of the ways is through music; just tell them to compose a song and that [this] is the theme. Let them understand the concept very well and they will come up with songs (KI, CSO representative, Pader District).*

Cultural activities like the aforementioned can preserve the legitimacy and importance of culture as a positive force that brings about social cohesion and harmony within conflict affected societies.

One respondent revealed how citizens with reliable connections with the LRA could influence combatants and how they could easily contribute to resolving the conflict:

*People who are in the villages and have their sons and daughters in the bush could be involved directly, in helping to negotiate a peace agreement with people who have caused atrocities to them. If me, a mother, my husband is there in the bush or my son is there and if I am taken there and given a chance, maybe I can talk to my husband or son (KI, radio programme host, Gulu District).*

One respondent was of the view that adequate preparatory work to map out all key stakeholders should be undertaken to ensure meaningful inclusion of key stakeholders in the peace process:

*It is important to do adequate preparatory work which would include mapping key stakeholders, mapping interests, getting to understand who would be very important and therefore should not be left out from such a process once it commences (KI, CSO representative, Kitgum District).*

Total community participation is impossible, but such participation could take the form of legitimate representation (Soen, 1981:110).

However, one respondent believes that there are difficulties and practical challenges in building consensus about selecting community representatives:

*What we should first understand is that the people are already disowning those they sent into positions, therefore, it may be difficult to have consensus where everybody will say yes, this is my representative. How many villages are there before you come to a parish, then the parishes and then the sub-counties? That is not very easy (KI, local government official, Gulu District).*

This respondent added:

*If they [organizers] needed to go to a sub-county and get us one person from the sub-county, I do not know how. A sub-county is made up of parishes. I do not know how it would have been done anywhere. That could be their [citizens'] wish, yes, but the*



*practicality should also be considered (KI, local government official, Gulu District).*

Moreover, most communities are not homogenous entities, and thus the different community segments would have different interests. Also, there is a lack of community structures for selecting community representatives from grassroots; this is something that would have to be done prior to selecting community representatives.

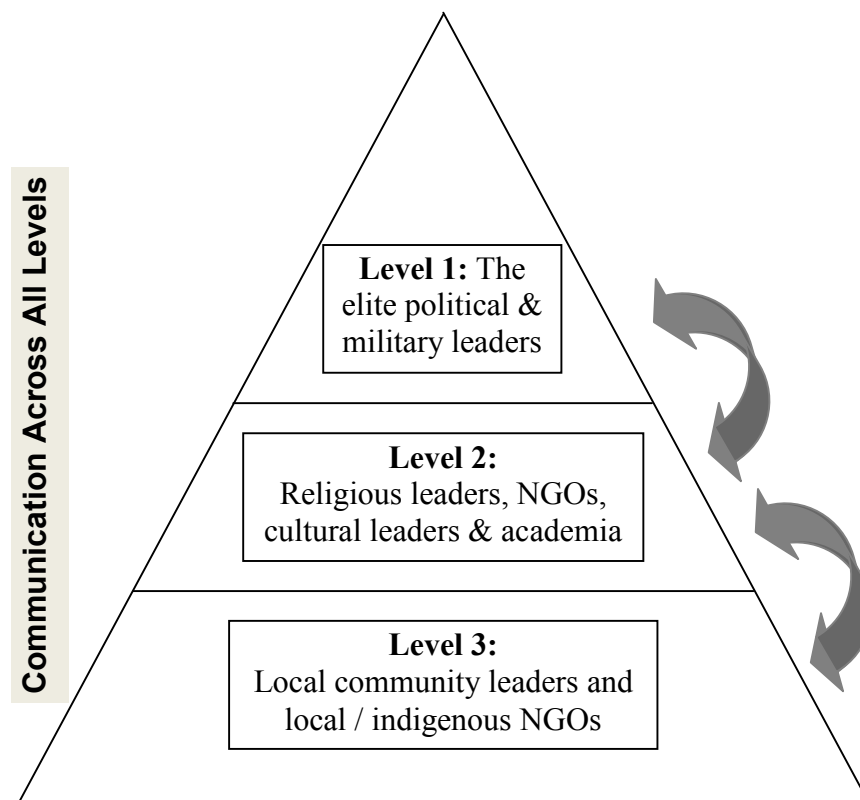
One Key Informant argued that, while local communities have a role to play in ensuring that leadership structures work for them, they themselves do not fulfil their ‘civic duty’ of holding their leaders accountable:

*Let the communities make the existing structures work for them. Let them put pressure [on their leaders] to work for them. If your LC [Local Council] system is failing you, get LCs who can work for you. We also have a challenge: once we put people in positions of responsibility, we neglect them. When they do not report back to us, we don't hold them to account and then we complain (KI, CSO representative, Kampala).*

One KI is confident that because of their thorough understanding of issues and the context, local people could be more knowledgeable and persuasive than some of the elite:

*This local man you minimize understands the language and can persuade the LRA better than any elite or Minister or somebody in authority. There is a way they connect. They may not necessarily speak the English language, if that is what people mean by capacity, but they understand the issues and they can convey the message better than the so-called elite. If you want to pass on something, you have to use them (KI, CSO representative, Kampala).*

**Figure 17: A Feedback & Consultation Mechanism for Community & Their Leadership**



**Source:** Model based on Lederach (1997)

In order to make citizen involvement more effective, a suitable formal organization (e.g. a committee, board, coalition or network) must be established and sustained. While there is no formula to guide this process, it is generally believed that such an organization should be developed with significant community input and that it should have positive links with local political and government structures (Vuori, cited in Zakus & Lysack, 1998:4).

**Key points: suggestions for future structuring (section 4.9.2      Suggestions      for  
Future Structuring of Peace Processes:189)**

- There is a need for mechanisms for selecting local community representatives.
- Ordinary citizens know credible peers who can represent them more effectively.
- There is a need for a structure that is truly representative of all segments of society.
- There is a need to use participatory and culturally appropriate methodologies to select community representatives.
- Community members who support the LRA should be included in the peace process.
- Before the peace process starts, community members should be trained in conflict resolution skills.

**Source:** FGD & KI Qualitative Data

#### **4.9.3 The Role of the Elite in Conflict Resolution**

The study established that there were mixed preferences among respondents regarding who should plan and facilitate community participation. While others preferred that government takes the lead through established statutory structures, others preferred CSOs and NGOs.

One FGD participant proposed that Government should play its role in ensuring that people were involved in issues that concerned them:

*Government should take [the] lead in involving people and ensuring their participation. I know that the government doesn't have adequate information about our problems, so the government should do its role (Female FGD participant, Laroo Division, Gulu District).*

Several respondents spoke of how NGOs were better placed to secure participation of communities:

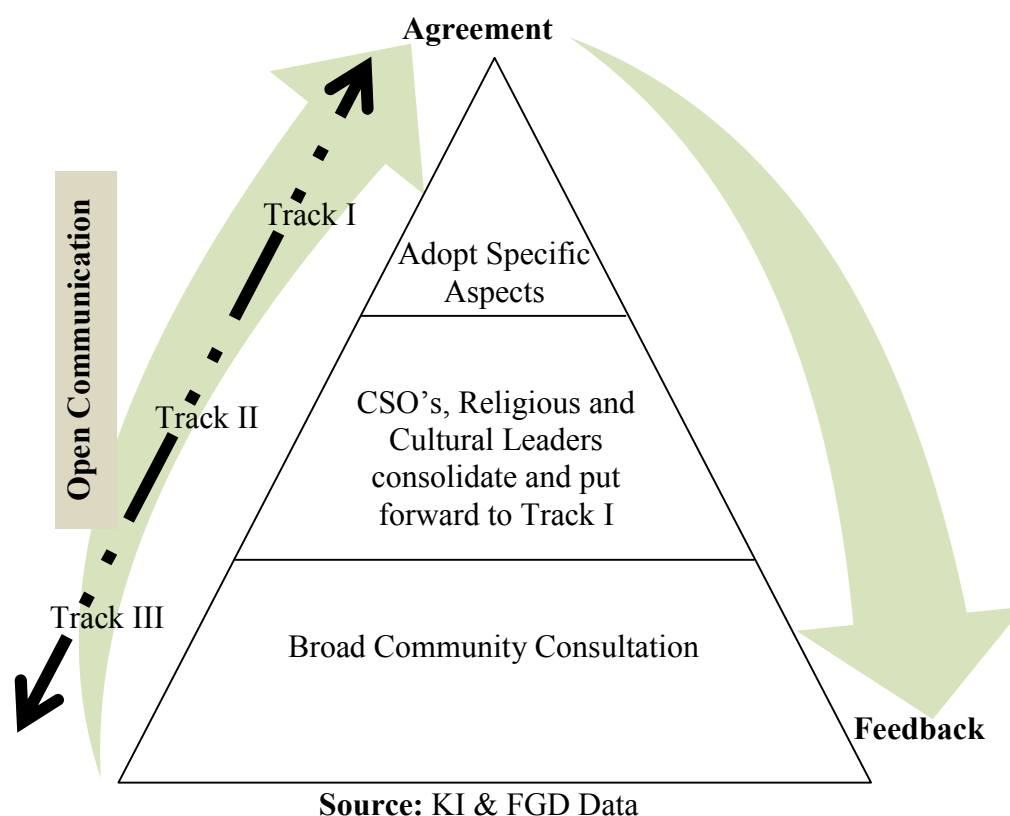
*During the armed conflict, the community saw NGOs like Red Cross, World Vision, and UN Agencies bridging the [service delivery] gaps that resulted from the suffering of the people. They were even closer to us than the government so I think those NGOs can involve us better and ensure our participation in conflict resolution processes (Female FGD participant, Laroo Division, Gulu District).*

*If the CSOs can be empowered with resources, and they are well facilitated to reach out, they are the ones I have more confidence in. Of course the [political] leaders will be involved [in the process], but CSOs should take [the] lead (KI, local government official, Amuru District).*

One respondent advocated for the networks amongst all interest groups:

*It would be important that you have networks of [all] important interest groups; politicians, cultural leaders, and religious leaders working hand-in hand. Having the same information and disseminating it the same way would be beneficial (KI, CSO representative, Kampala).*

**Figure 18: A Model for Community Participation in Peacemaking/Conflict Resolution**



There appears to have been no clear mechanisms established to involve local community members in the Northern Uganda conflict resolution process. However, the key concern is to ensure meaningful community participation in conflict resolution processes. Where ordinary communities are unable to participate, complementary strategies should be developed to represent their interests in the conflict resolution process.

#### 4.9.4 Section Summary

The level and effectiveness of community participation in peacemaking and conflict resolution is largely determined by the appropriateness of the conflict resolution mechanisms. Factors such as the venue for the peace talks; the suitability of the communication methods; the information dissemination strategy; the choice, legitimacy and credibility of community representatives, and how accountable they are to community members, are all critical factors that will significantly determine the extent to which ordinary community members participate in bringing about the peace that they will enjoy and sustain. As such, it is important to ensure that local citizens are part of the decision-making process for selecting their representatives, some of whom could be their peers, working together with their elite counterparts.

Also, the use of existing community structures, in which local citizens already have a role, would be a good way to involve them. Where needed, it might be essential to establish parallel structures for the voiceless war victims as a means of promoting dialogue regarding issues affecting them. In addition, both state and non-state actors need to work together to provide for the inclusion of war victims. In short, there is a clear desire for a more participatory and democratic decision-making process in which technical officials and the elite no longer play a dominant role. In fact, Morone (1990:253) asserts that the call for citizen participation has not only been one of empowering an oppressed group, but of controlling the dominant role of the elite. The notion of empowerment is important because it helps people to become agents of change and transformation within their societies.

**Key points: the role of the elite in conflict resolution (section 4.9.3      The Role of the Elite in Conflict Resolution:197)**

- Government should ensure that people are involved in issues that concern them.
- CSOs can involve communities better and ensure their participation.
- A partnership between political leaders, religious leaders, cultural leaders and CSOs is needed.

**Source:** FGD & KI Qualitative Data

#### 4.10 Traditional Mechanisms for Conflict Resolution

This section will present respondents' perceptions on traditional conflict resolution practices.

#### 4.10.1 Traditional Conflict Resolution Practices in Acholi

Traditional or indigenous mechanisms of conflict resolution are transitional justice processes that respect and draw on local traditions, social norms and values. In Northern Uganda, these practices have, for ages, been used by the local tribes to resolve conflicts and maintain social order in the region. They include *mato-oput*<sup>48</sup> of the Acholi, *Kayo Cuk* of the Langi, *Ailuc* of the Iteso, *Ajupe* of the Kakwa, *Ajufe* of the Lugbara, *Aja* of the Alur, and the *ToluKoka* of the Madi, among others. Across Africa, similar traditional justice mechanisms include *Inkundla* in South Africa, *Gacaca* in Rwanda, *Magambo* in Mozambique and *Bashingantahe* in Burundi (Ogora, 2009:1).

#### 4.10.2 Relevance and Appropriateness of the Traditional Practices

Indigenous mechanisms for conflict resolution have gained acceptance over the years due to their inclusive style. In this regard, advocates of inclusive peacemaking processes, such as Mac Ginty (2008:139) argue that such approaches to conflict resolution are participatory and relationship-focused, and that they are likely to result into peaceful outcomes that have a higher chance of community adherence than non-familiar approaches.

Respondents spoke of how the traditional mechanisms in Northern Uganda, particularly *mato-oput*, were relevant and useful in resolving conflicts:

*They [GoU & LRA] tried dialogue as a method of resolving the conflict but it never bore fruit because of the technicalities involved in the dialogue. They later turned to the local people, us, and sought for the traditional methods, which is the “mato-oput” (Male FGD participant, Bardege Division, Gulu District).*

*I see it [mato-oput] relevant with internal conflicts on land. I have seen on many occasions, it has helped. With most land conflicts, people tend to first go to elders for mediation. It has helped some of these returnees [to settle] peacefully in their areas (KI, local government official, Amuru District).*

Mato-oput delivers justice and promotes reconciliation in a socially acceptable manner because it gives opportunities to as many community members as possible to participate in

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<sup>48</sup> *Mato-oput* is defined as a traditional reconciliation process for a killing, whether intentional or unintentional. It results in justice, forgiveness, healing, restoration of broken relations, and, ultimately greater unity and harmony between the clans of the victim and the perpetrator.

the conflict resolution process (Muhereza *et al*, 2009:15). In fact, a study by Pham & Vinck (2010:3) found that 53% of the population in Northern Uganda viewed traditional mechanisms as useful in dealing with the LRA combatants and ex-combatants.

One respondent explained that the Acholi cultural institution had put in place measures for resolving conflicts non-violently:

*We rejuvenated all the cultural leadership structures throughout Acholi. We put in place clan committees, clan leaders, elders' councils. We trained them on how to handle various conflicts and disputes. We also went on to sensitize the community on where they can take their conflicts instead of picking axes and spears to kill one another (KI, cultural leader, Gulu District).*

One key informant explained that due to recognition of the value of traditional justice, the Acholi cultural institution was the unofficial mediator during the Juba peace talks:

*We went to mediate [between LRA and GoU] only that we were not the authorized mediators. That is why in one of the protocols, the issue of traditional justice for accountability was put, because we explained it. We said there is a structure, there is a way of doing it (KI, cultural leader, Gulu District).*

Conventional or modern peace processes that do not incorporate aspects of a community's rich cultural practices and institutions can prove to be problematic. The traditional conflict resolution processes focus on restoring and/or building relationships, while the modern processes emphasise rules, regulations, procedures, laws or other formalities alongside content (Avruch *et al*, 1991).

**Key points: relevance & appropriateness of mato-oput (section 4.10.2 Relevance and Appropriateness of the Traditional Practices:200)**

- *Mato-oput* yielded positive results during the Northern Uganda conflict.
- *Mato-oput* has been useful in resolving community conflicts.
- Due to its impartial role, the Acholi cultural institution could serve as an unofficial mediator.
- The Acholi cultural institution has put in place measures for resolving conflicts.

**Source:** FGD & KI Qualitative Data

#### 4.10.3 Limitations of Traditional Practices of Conflict Resolution

While traditional justice is the most effective means of conflict resolution, it may not be appropriate for some crimes, such as sexual and gender-based violence and criminal cases related to children.

One key informant indicated that both the formal and the traditional justice system were not properly harmonized, and were still being applied in parallel:

*If you are sent to [prison] for seven years, on your return, you are to be subjected to mato-oput. In other words, one person is punished twice. One is by the state law, which is very quick and fast, and then the traditional justice system, which is based on the fact that you are to be spiritually re-integrated in the community (KI, cultural leader, Gulu District).*

One key informant highlighted the fact that the failure to standardize and codify traditional justice processes meant that they lacked national and international acceptance:

*If we look at the peace process of mato-oput, if we do not codify these processes, which are cultural and community based, it would have no bearing at national level. It can easily be rubbished because it is not codified, because it is not grounded within national and international standards and norms (KI, women activist, Kampala).*

Because both traditional and formal justice systems are still applied concurrently, and independently, there is a high risk of double jeopardy where suspects or offenders are tried under two independent justice systems for the same offence.

One key informant explained that the traditional justice system in Acholi did not have an equivalent punishment to deal with the level of atrocities committed by the LRA:

*I don't think there is an equivalent punishment for atrocities of LRA. Moving from a small village, to a whole district and then extending it to neighbouring districts and to neighbouring countries – the punishment for this kind of thing [atrocities] is not there in Acholi culture. It is very unique. There is nothing like a reference (KI, cultural leader, Gulu District).*

Although *mato-oput* has been credited for being a restorative and reconciliatory justice approach, Muhereza *et al* (2009:15) assert that it (and other traditional justice systems)



undermines the principle of complementarity to the Rome Statute<sup>49</sup> and that it goes against the basic principles of criminal jurisprudence, where a penalty is intended to reflect the gravity of a crime committed.

One respondent explained that in the Acholi culture, there is no precedent to guide the use of *mato-oput* in handling serious crimes, similar to those committed during the LRA conflict:

*Mato-oput has not previously handled mass killings, community killings and community violence, so there is no precedent to work with (KI, CSO representative, Gulu District).*

Based on today's complex contemporary conflicts and the environments within which they operate, indigenous methods of conflict resolution may not be feasible to deal with some of the atrocities and the extent to which the conflict has escalated. In particular, Ogora (2009:2) argues that *mato-oput* is often presented as not being sufficiently effective. In a similar vein, some human rights campaigners have problems with traditional justice mechanisms that impact on the basic rights of others (Muhereza *et al*, 2009).

One key informant emphasised that the application of traditional mechanisms is based on voluntary acceptance within a specific cultural setting:

*Most of these punishments are based on accepted culture of Acholi community. If we are to go in for paying blood compensation, will that be relevant to Teso culture, maybe not. What about Lango culture? What about to the Sudanese? Central Africa? Congo? (KI, cultural leader, Gulu District).*

Traditional justice practices are often highly specific to, and have credibility within, specific ethnic groups, and they generally operate in traditional settings and are more appropriate for inter and intra-clan disputes and conflicts (Muhereza *et al*, 2009:15). Therefore, the application of such a system on a large scale, involving different ethnic groups or states, needs careful thought and investigation.

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<sup>49</sup> The [Rome] Statute of the International Criminal Court (1998) was adopted on 17 July 1998 and ratified by Uganda on 14 June 2002.

Two key informants spoke of how the *mato-oput* process was only applicable to the affected clans, i.e. for inter-clan conflict resolution and reconciliation:

*Mato-oput is between a particular clan or a person belonging to a particular clan taking responsibility to compensate a victim based upon acceptance that you wronged a particular clan. However, it is tricky in this context because [the] LRA was an army. As such, it brings so many clans together and others are not even from Acholi land (KI, CSO representative, Pader District).*

*Mato-oput has been done at lower levels because it is done between the clan of someone who has killed and the clan of somebody who has been killed (KI, opinion leader, Kitgum District).*

Because the LRA is an army made up of different ethnic groups from Northern Uganda, and from various countries in the Great Lakes region, a regional and multi-ethnic traditional approach may be necessary for addressing the LRA conflict, but the question remains whether such a complicated undertaking would be possible in practice.

Two key informants revealed that *mato-oput* is a very slow process that can take many years to conclude:

*Mato-oput is a very slow process. At times, it may take even fifty years. You see, you can kill quietly, and you do away with me. People raise questions, you deny and nobody forces you. Inwardly, you know that you did it, but you don't confess (KI, cultural leader, Gulu District).*

*The mato-oput [process] is extremely slow and can take even one hundred years to complete. What I personally documented took ten years, from 1988-1998 (KI, CSO representative, Gulu District).*

Two key informants emphasized that *mato-oput* was purely based on confession and truth telling, and that it was thus only applicable to individuals who confessed their wrongdoing:

*Confession is all that is wanted. There is nothing like finger pointing anymore. No. Because of the fact that you have actually confessed, then individual responsibility goes away (KI, cultural leader, Gulu District).*

*Mato-oput could not easily be applied in this [Northern Uganda] context. However, on individual basis, it will be possible because there is common knowledge that so and so came and did this kind of atrocity. If that person could come out and face that challenge, the clan would take the responsibility of discussing [it] with the aggrieved*

*family or clan and then settle it in the traditional way (KI, CSO representative, Pader District).*

One key informant revealed that the traditional justice system had limited capacity to handle criminal cases that arose out of the war:

*There are still cases among the community that relate to justice and impunity; one clan is attacking another clan because the other clan had their son in the bush who misled the rebels, who carried out a massacre in the other clan (KI, CSO representative, Kitgum District).*

Mato-oput has limited feasibility in the Northern Uganda conflict largely because it relies on confession and truth telling by perpetrators, yet no particular Acholi clan has confessed, or has been identified as being responsible for the killings over the 23 years of violent conflict. Additionally, a study by Tufts University and Gulu University (2009) found that the issue of truth telling and confession is complicated by such factors as the inability of offenders to provide compensation, the nature of the conflict and unknown perpetrators or victims.

Two key informants disclosed that there are some variations in the practice of *mato-oput* in order to adapt to changing circumstances, but these are minimal:

*Mato-oput has not been done in the actual traditional ways. Traditionally, if we were going for mato-oput in one sub-county, they gathered all [the] people. The concept has been that, you go to where the conflict has happened and you do it from there. So they tried to modernize it a bit, because of mainly logistics, they were not able to reach everyone (Local Government Official, Pabbo Sub-County, Amuru District).*

*There may be some very minor differences in details, but basically the thing is spiritual cleansing and spiritual re-integration into the community, that's what mato-oput is all about. Pertaining to the venue, you find that in some areas, mato-oput takes place along a stream. In some areas, mato-oput takes place under a big tree. In some places, mato-oput takes place just in the open. These are the small variations (KI, cultural leader, Gulu District).*

In apparent agreement, Tufts University and Gulu University (2009:5-6) found that there seems to be a widespread perception in Acholi that there exists a variation in *mato-oput* practice between clans when dealing with varying degrees of war crimes and offences that did not result in death, such as rape, defilement, or mutilation.

**Key points: limitations of *mato-oput* in Acholi (section 4.10.3 Limitations of Traditional Practices of Conflict Resolution:202)**

- Mato-oput is not suitable for addressing serious crimes, such as war crimes.
- Mato-oput is effective in specific cultural settings that accept its cultural practices.
- The process of mato-oput takes time.
- The very basis of the success of mato-oput is truth telling and confession, which in the Acholi conflict is problematic.

**Source:** FGD & KI Qualitative Data

Regarding the application of mato-oput in Northern Uganda, it is useful to ask whether the use of a set of unwritten laws will work for a major and violent conflict of this nature, and whether there is a real possibility for traditional rituals to bring justice to Northern Uganda. It might be helpful to examine the potential pitfalls in applying traditional models of justice to a modern conflict. Further, although law is a part of culture and that law cannot possibly be distinguished from culture, it might be necessary to establish whether the principles of the traditional approaches are akin to those of the formal justice system in Uganda, and whether there is a high possibility to incorporate traditional principles and practices into the formal justice in the spirit of complementarity.

#### **4.10.4 Chapter Summary**

The key findings show that the Northern Uganda conflict resolution process was dominated by the elite, notably the GoU peace team, the LRA peace team and the mediation team which were at the core; the observers at the periphery; and the ordinary community members who were involved in a minimal way. The study findings further illustrate the importance of community participation yet they also show minimal participation largely due to the lack of appropriate mechanisms and structures which excluded such participation (Lederach, 1997; Arnstein, 1969). In particular, ordinary people were denied the opportunity to participate directly in the Juba peace process due to the limited opportunities availed to them, and the impediments experienced. In fact, participation was negligible because the major sections of the grassroots community were significantly marginalised (Gidley *et al*, 2010; Commins, 2004; Allan, 2003; Guilford, 2000). Also, community participation was impeded by the

poverty and the denial of their basic human needs, which led to further deprivation and vulnerability (Sen, 2000; Max Neef, 1991; Maslow, 1954).

Furthermore, the study findings indicate that capabilities of people were constrained by the socio-economic conditions prevailing during conflict and even after the conflict (Sen, 1999). More still, in relation to the particular situation IDPs, their plight and circumstances were not ameliorated in accordance with the African Union Convention on the Rights of IDPs and the universal declaration of human rights (AU, 2009; UN, 1948). Moreover, the human security needs of the IDPs, particularly the physical, economic and social needs, and generally the freedom from fear and freedom from want, were not sufficiently addressed (UN, 1994). Traditional practices have value in limited contexts and are not always suitable for certain transgressions that are better addressed through formal court procedures (Ogora, 2009).

The following chapter presents the summary of key findings, conclusions, recommendations and final remarks.

## **CHAPTER FIVE: SUMMARY OF KEY FINDINGS; CONCLUSIONS; RECOMENDATIONS AND FINAL COMMENTS**

### **5 Introduction**

This chapter will present a summary of the key findings linked to the specified objectives. The conclusions will be drawn from these findings, while the recommendations will be made based mostly on these conclusions. Finally, this report will end with some final comments.

#### **5.1 Key Findings Pertaining to the Study Objectives**

The key findings presented here reflect the perceptions of the study respondents, both the key informants and focus group participants.

##### **5.1.1 Key Findings Linked To Objective 1: Major Participants and Actors in the Conflict Resolution Process**

Various sub-themes or categories were evident.

- **Composition of key participants (section 4.7.1Composition of Key Participants:131)**

The major finding for this sub-theme of ‘composition of participants’ was that key participants included the GoU peace team; the LRA peace team; appointed and elected political leaders; CSO representatives; the Acholi cultural institution, and religious leaders. There is some ambiguity amongst respondents as to whether or not the religious and cultural leaders truly represented the local communities.

- **Criteria for selection of participants (section 4.7.2 Criteria for Selecting Participants in the Juba Peace Talks:134)**

The major findings for this sub-theme were that the unclear criteria and mandates for selecting participants caused problems of legitimacy. Also, formal institutions, including religious and cultural ones, selected their representatives through their internal structures. In addition, CSO representatives were selected based on their expertise in conflict resolution. Finally, ordinary people were largely represented by their religious and cultural leaders.

- **Mandate and legitimacy of community representatives (section 4.7.4 Mandate of Representatives:140)**

The major findings for this sub-theme were that community representatives did not provide adequate feedback to the grassroots population. In addition, observers acknowledged that they may have lacked a strong mandate from the local community. Finally, the government peace team did not consult with the local population.

- **The role and significance of the media (section 4.7.5 CSOs as Representatives of War-affected Communities:146)**

The major findings for this sub-theme were that the media, particularly radio, provided an opportunity for ordinary people to participate in the peace process, albeit indirectly. In addition, the media, particularly radio, linked the elite actors to the grassroots population as well as the protagonists (LRA). Further, abductees were encouraged to return as a result of the radio programmes.

- **Women's peace efforts (section 4.7.5 CSOs as Representatives of War-affected Communities:146)**

The major findings for this sub-theme were that women, particularly those from rural areas, were left out of the formal peace process. In addition, most women's peace initiatives were informal and not documented. Finally, the representation and participation of women in the peace process was relegated to that of 'observer status' and they had no direct influence on the final decision making.

- **The role of the community representatives (including religious and cultural leaders) (section 4.7.3 The Role of Community Representatives (Religious/Cultural Leaders):137)**

The major finding for this sub-theme was that religious and cultural leaders helped to initiate the peace process. They acted as informal mediators since they were trusted by both the elite actors and the community at the grassroots.

- **Limitations of the community representatives (section 4.7.6 Limitations of Community Representatives:154)**

The major finding for this sub-theme was that community representatives did not provide feedback to the grassroots population.

### **5.1.2 Key Findings Linked To Objectives 2 and 3: Community Capacity, Potential and Opportunities for Participation in Conflict Resolution Processes; The Nature and Level of Community Participation in Conflict Resolution Processes**

- **Community capacity, potential and opportunities for participation in conflict resolution processes (section 4.8 Community Capacity, Potential, Opportunities and Community Participation in Conflict Resolution:156)**

The major findings for this sub-theme were that ordinary community members did not have the capacity to participate effectively in the peace process. However, this is contrary to the United Nations (UN, 2011:3) observation that almost every conflict-affected community, however devastated, has some of the capacities needed for peace and resolution of conflicts which they are part of, which need to be protected and nurtured.

Further, the community had the capacity to participate in the peace process but were excluded by the ‘elite’ for various reasons (language, ability to participate at a sophisticated level and protection of political space). Also they were not empowered to engage in such a process. However, until conflict-affected communities develop their own abilities to cope with conflict and post-conflict contexts, external, elite-led intervention will not succeed.

- **Enhancing community capacity (section 4.8 Community Capacity, Potential, Opportunities and Community Participation in Conflict Resolution:156)**

The major finding for this sub-theme was that community capacity needed to be enhanced through training and skills development and their ideas/inputs could be passed on to the next level. In fact, external stakeholders and the local elite need to nurture and support local capacities and mechanisms for conflict resolution rather than to impose their preferred approaches, which may dampen local initiative and frustrate the emergence of local strategies for dispute resolution.

- **Community opportunities not exploited during conflict resolution (section 4.8.2 Community Opportunities Not Exploited:162)**

The major findings for this sub-theme were that despite the leadership structure of IDP camps being ideal for facilitating community involvement, it was not used. The Acholi traditional practices, such as reconciliation, were not optimally utilized. Notwithstanding the fact that



local people at the grassroots level may be disempowered and fragmented by violent conflict, there will always be some form of community capacity for promoting peace and reconciliation, especially through indigenous approaches that have been transmitted through generations.

In addition, the community's knowledge and experience of the conflict was not tapped into. It should be noted, however, that conflict-affected communities may lose trust and confidence in a peace process that does not value their input and where actors in the peace process do not consult with them or give them feedback.

▪ **The nature of community participation in conflict resolution (section 4.8.4 Nature of Community Participation:164) and the level of community participation in conflict resolution (section 4.8.5 Level of Community Participation:169)**

The major findings for these sub-themes were that local people and their leaders established the initial contact with the LRA long before the official teams and were involved in the early peace and conflict resolution initiatives to some extent. The community participated in conflict resolution through advocacy with influential leaders; they established direct contact with the LRA, and facilitated return and reintegration of LRA combatants.

In addition, ordinary community members were largely excluded from the Juba peace process. Further, community perceptions were that the conflict was between the LRA and the GoU. Furthermore, the elite dominated the peace process. Also, the community consultation process was not productive because of poor planning and implementation. Finally, during peace talks, community members did not interface with negotiators and observers.

▪ **Impediments to community participation during the conflict (section 4.8.6 Impediments to Community Participation in Conflict Resolution:172)**

The major findings for this sub-theme were that there was a lack of connection/communication between elite negotiators and the grassroots population. The grassroots population were limited in their capacity to take part in the formal negotiations. In addition, the war affected the local population emotionally and psychologically. Finally, during the peace process, hostilities resumed and the grassroots population feared reprisals, persecution and death during the peace process.

- **Impediments to community participation after conflict (section 4.8.6  
Impediments to Community Participation in Conflict Resolution:172)**

The major findings for this sub-theme were that there was resumption of hostilities between the LRA and UPDF in DRC and CAR. There were also low levels of confidence and self-esteem, particularly among women. Finally, the elders are no longer given the acknowledgement and respect they had in the past.

- **Cross-cutting impediments to community participation (section 4.8.6  
Impediments to Community Participation in Conflict Resolution:172)**

The major findings for this sub-theme were that negative gender and cultural perceptions existed, especially against women and youth. In addition, lack of commitment was prevalent on the part of the elite representatives. Also, poverty was prevalent throughout Northern Uganda. Finally, poor communication existed between the elite and the masses, leading to exclusion of the grassroots population.

### **5.1.3 Key Findings Linked To Objectives 4: Appropriateness of Conflict Resolution Structures**

Various sub-themes or categories were evident.

- **Appropriateness of structures for engaging conflict affected communities in conflict resolution (section 4.9.1 Appropriateness of Structures for Engaging Conflict-affected Communities in Conflict Resolution:187) and suggestions for future structuring (section 4.9.2 Suggestions for Future Structuring of Peace Processes:189)**

The major findings for this sub-theme were that the accessibility to the venue for the peace talks was a problem for the local communities. The absence of clear communication and information dissemination strategies significantly affected the extent to which ordinary community members participated. Also, the high-level participants (elite) and community representatives did not pass on the information to the grassroots. In addition, there was an assumption that religious leaders, cultural leaders and CSOs represented conflict-affected communities.

The community did not have opportunity to be represented by a person of their choice. In addition, there is a need for mechanisms for selecting local community representatives. Ordinary citizens know credible peers who can represent them more effectively. Furthermore, there is a need for a structure that is truly representative of all segments of society. In addition, there is a need to use participatory and culturally appropriate methodologies to select community representatives. Also, community members who support the LRA should be included in the peace process. Finally, before the peace process starts, community members should be trained in conflict resolution skills.

▪ **The role of the elite in conflict resolution (section 4.9.3      The Role of the Elite in Conflict Resolution:197)**

The major findings for this sub-theme were that government should ensure that people are actively involved in issues that concern them. Also, CSOs are better placed to facilitate community participation. Finally, a strategic alliance among political leaders, religious leaders, cultural leaders and CSOs is needed in a peace process.

**5.1.4 Key Findings Linked to Objectives 5: Traditional Mechanisms of Conflict Resolution**

Various sub-themes or categories were evident.

▪ **Relevance and appropriateness of the Acholi traditional mechanisms of conflict resolution (section 4.10.2      Relevance and Appropriateness of the Traditional Practices:200)**

The major findings for this sub-theme were that *Mato-oput* yielded positive results in resolving conflicts during the Northern Uganda conflict. In addition, due to its impartial role, the Acholi cultural institution served as an unofficial mediator. Finally, the Acholi cultural institution has put in place cultural measures for resolving conflicts.

▪ **Limitations of mato-oput as a mechanism of conflict resolution (section 4.10.3      Limitations of Traditional Practices of Conflict Resolution:202)**

The major findings for this sub-theme were that Mato-oput is not suitable for addressing serious crimes, such as war crimes. In addition, Mato-oput is effective in specific cultural settings that accept its cultural practices, but it is also time consuming in its practice. Finally,

the very basis of the success of mato-oput is truth telling and confession, which in the Acholi conflict is as yet not possible.

## **5.2 The Main Conclusions Emanating From the Findings**

The following are conclusions emanating from the findings, and are presented in relation to the research objectives for purposes of greater clarity:

### **5.2.1: Major participants and actors in the conflict resolution process:**

The main conclusions drawn from the findings linked to this objective were:

The elite actors in the peacemaking process, particularly GoU and LRA assumed that the conflict resolution process was about political and security matters and for which they were the main role players. In fact, it was assumed by the elite and some ordinary community members that the conflict in Northern Uganda was between the GoU and the LRA. This in effect disregards the role played by community members in the instigation, escalation, continuity, and de-escalation of the conflict.

Regarding the legitimacy of community representatives, there was some ambiguity as to the legitimacy of the representatives at the peace process and this fed into further discontent among some respondents. Some respondents accepted the representation of the religious and cultural institutions as well as representatives of CSO whilst others bemoaned the fact that these representatives did not really represent them and/or did not pass on communication about the progress at the peace talks. Accordingly, the marginalisation of community members from the peace process meant that agreements reached by the 'elite' did not reflect their aspirations. Those who claimed to represent the community did not pass on communication about the peace process to their constituencies hence creating further distance between what was happening at the Juba peace talks and what was happening at the grassroots. The failure by community representatives to provide feedback to those they claim to represent further distanced the grassroots from participating albeit indirectly in the peace process, leading to alienation from what was taking place at the 'top-level'. However, the media, particularly radio, proved crucial in providing the grassroots community with information about the peace process, and was successful in opening the dialogue for the return of abductees.

The key parties to the peace process did not include the local population in their consultations. Ordinary people were neither part of any government consultative forum, nor were they part of the LRA consultations. However, the religious and cultural institutions played an important role during the Juba peace process. They provided a channel through which the people of Northern Uganda could communicate and express their desire for peace. Similarly, the informal mediators are a valuable resource when there is a stalemate among key negotiating parties or when the credibility and authority of the official mediator is in dispute.

There were structural and systemic gender-related challenges that did not enable women to maximise their potential and contribute to the conflict resolution process. Women were drawn into the peace process as ‘observers’ despite having played a mediating role at grassroots level. They were involved when it was too late for them to change anything. Some of these women mediators could have been drawn into the top-level discussions. Rural women were particularly marginalised with regards to the peace process.

#### **5.2.2: Community capacity, potential and opportunities for participation in conflict resolution processes, as well as the nature and level of community participation in conflict resolution processes.**

The main conclusions drawn from the findings linked to these two objectives were:

It would appear that levels of participation need to be clarified. Ordinary community members do have a role in clarifying the nature of the conflict from their perspectives and how it impacted on them, and some of them could be empowered through training in conflict resolution skills /negotiation to be part of the observer group. In order to maximise their potential, it is important for the grassroots to be kept fully informed of the peace process since not all can take part in the actual, hammering out of the agreement. The danger of excluding the local population is that communities may lose trust and confidence in a peace process that does not value their input and where actors in the peace process do not consult with them or give them feedback.

In fact, peace teams did not maximize the influence of local community elders and the Acholi indigenous practices /cultural resources for peace were not optimally explored and utilized;

the community's knowledge and experience from the conflict was not utilised to inform the Juba peace process. While it is true that the complexity of decision making will often require specialised expertise, this should not be used as a justification for disregarding the inputs 'from below'. It is recognised that promoting community participation strategies means tackling the issue of power imbalances and could generate more conflict. However, this process is necessary for inclusivity and sustainability of the peace process.

The community members played marginal roles in the peace process and could have been empowered in various ways to make a greater contribution, through establishment of visible and known channels for their inputs, legitimate representation and feedback about the process. Further, community representatives could have been more involved in the active monitoring and evaluating of the entire peace process and passing on this information. It is considered that if community participation in conflict resolution is not seen as a meaningful activity and taken seriously by the 'elite', then the acceptance of the outcome of the peace process will be in jeopardy. A fragile 'peace' may be the outcome.

Regarding the security situation, during violent armed conflict, political and security considerations impede free movement of people, constraining participation. In particular, the resumption of direct hostilities can lead to a major setback in the peace making process, and can threaten to reverse the gains made at any level of the conflict resolution process. Furthermore, such hostilities are experienced firsthand 'on the ground' making it difficult for people to meaningfully participate when their lives are endangered. In essence, community participation can be impeded by a combination of socio-economic and political factors, including the absence of sufficient infrastructure for participation in post-conflict peace building and reconciliation.

### **5.2.3: Appropriateness of conflict resolution structures**

The main conclusions drawn from the findings linked to this objective were:

It would appear that the Juba Peace process was not all inclusive in that community members were not properly represented by people of their choice. They felt alienated from the process due to poor communication, the location of the peace talks (Juba) was not convenient and not being taken seriously by the high level participants at the talks (elite). It is considered that when local-level peace efforts, spearheaded by ordinary community members emerge and

their initiatives and processes grow into powerful grassroots movements, they will have a higher potential for creating sustainable peace at community and national level. Further, until conflict-affected communities develop their own abilities to cope with conflict and post-conflict contexts, external, elite-led intervention will not succeed. These community abilities should be promoted by CSOs and Government.

#### **5.2.4: Traditional mechanisms of conflict resolution**

The main conclusions drawn from the findings linked to this objective were:

Although local people at the grassroots level may be disempowered and fragmented by violent conflict, there will always be some form of community capacity for promoting peace and reconciliation, especially through indigenous approaches that have been transmitted through generations. In the Acholi context, traditional mechanisms for conflict resolution, and Mato Oput in particular, are useful for conflict transformation, as they utilize approaches and processes that are known and are socially appreciated by the majority of the community members. In fact, peacemaking and conflict resolution processes are more likely to be legitimate if they combine formal and indigenous approaches, hence benefiting from advantages and opportunities provided by the two approaches.

Further, it should be noted that the parallel application of traditional as well as formal mechanisms for conflict resolution could be problematic. Hence a clear understanding is needed to clarify whether a particular crime could be resolved through a traditional approach or whether the nature of the crime warrants the formal approach. Case studies from elsewhere are useful in this regard. In Rwanda, there are cases where formal and traditional justice systems collide, hence illustrating the complex tensions between the concepts of peace and justice. There are cases where some prisoners are released by the national courts while they are simultaneously convicted and incarcerated by the Gacaca courts system (Fierens, 2005; Mutisi, 2009),

Further, it is necessary to enact an appropriate legal and policy framework that enables the indigenous conflict resolution methods to operate. This happened in 2001 when Rwanda enacted the Gacaca law. The law gives indigenous courts the mandate to deal with cases of individuals who committed atrocities in their communities during the 1994 Genocide. In the context of Acholi, at the moment there is no clear framework on how mato-put can be

constructed to include the Government of Uganda as a party to the conflict. It appears that any peace and justice process that focuses only on certain dimensions of the conflict or that ignores certain parties risks being inadequate (Wasonga, 2009:37).

### **5.3 The Main Recommendations**

The following are the main recommendations emanating from the findings, and are presented in relation to the research objectives for purposes of greater clarity:

#### **5.3.1: Major participants and actors in the conflict resolution process:**

There should be a greater democratization of the peace process so as to include elite as well as local community members jointly in the entire process. The inclusion of all major segments of the Acholi community will go a long way in expanding opportunities for the Acholi people in making and sustaining peace. Further, there should be a stronger collaboration and dialogue among negotiators, community members and civil society, as this is more likely to ensure that the interests of all stakeholders are addressed and that the peace accords reached reflect the broad aspirations of the majority.

Regarding community participation, the process should, ideally, be a feature throughout the conflict resolution process; for example, community peace councils could be formed at the grassroots. Further, there is a need for creativity and innovation in developing participatory mechanisms for selecting ordinary citizens to participate in peace processes, and for soliciting input from community members, with particular attention to obtaining the views of women, youth and other less represented or often marginalised sections of society. To this end, careful structures should be set up to ensure legitimate representation; these structures would take the form of representative committees established at every parish, sub-county and county within Acholi. Such a structure is effective and efficient as it increases opportunities for all community members to participate and contribute to the peace making process.

In addition, there is need to establish local think-tanks. These think tanks will feed into consultative fora, and will be essential for a bottom up approach to peace-building; Northern Ireland and South Africa are excellent examples of this (O'Brien, 2005). Through representative peace committees and think tanks, the established communication channels will be essential to building up a peace dividend. Through these structures, representatives who are elected democratically should indicate how they will be passing on the information



to their constituencies. More still, the role of middle range leaders and ‘intermediaries’ (Lederach, 1997) are often underestimated and should be given much more leverage.

Regarding the role of the media, key radio stations could be granted formal observer status during peace processes to ensure that they have access to first-hand, and accurate information. In addition, key personnel from radio stations should be trained or oriented in ‘responsible’ peace journalism to ensure that what and how they report does not jeopardise the peace process, or does not jeopardise the safety of the negotiators.

Gender issues were highlighted as critical. It is therefore important to be conscious of the need for inclusion of women, as women have particular strategic contributions to make in the peace process as peacemakers. Further, it is imperative that, during peacemaking processes, women take part in decision-making, as they are better suited to define what constitutes a fair process for a non-patriarchal society. There is need to appropriately modify cultural and patriarchal norms so as to address the structural and systemic challenges that limit the inclusion and participation of women, particularly in peacemaking processes. From a broader sense, the community representatives should plan and hold joint feedback sessions for the grassroots population as a strategy for more effective information sharing and obtaining more community input into the peace talks.

### **5.3.2: Community capacity, potential and opportunities for participation in conflict resolution processes, as well as the nature and level of community participation in conflict resolution processes**

There is a need for grassroots training in conflict resolution and an understanding of the negotiation process. Civil society organisations could play a key role in this area by helping to set up the necessary structures/committees for peace work and peace training. Since the peace committees are grassroots based, they should be able to introduce and strengthen the use of traditional conflict resolution mechanisms alongside the more the more formal processes. The grassroots training should be complemented by the establishment of proper channels for open communication and feedback about the peace process which should be part of the planning strategy of any peace process. The grassroots population, especially the women and youth, should be active participants with proper mechanisms for their voices to be heard at the negotiation table. In effect, this will ensure that peacemakers, external or

internal, elite or non-elite, will build their efforts on existing local resources and capacities for conflict resolution as these are more likely to be more culturally relevant and sustainable.

In order to ensure effective communication regarding peacemaking, various strategies could be adopted, including the establishment of channels such as community forums, peace committees holding representatives accountable and insisting on clear communication procedures, and various radio stations assisting with the dissemination of information. Further, during violent conflict, efforts should be made by stakeholders to promote community participation through improved protection and observance of human rights, in part to enable them to participate in the conflict resolution process.

In addition, the government, with the assistance of ceasefire arrangements, should monitor the cessation of hostilities agreements reached between conflicting parties prior to engagement in formal talks. Any party to the conflict defaulting on this arrangement should be speedily dealt with so that the peace process is on track. In order to make participation effective and more meaningful, there is need for stakeholders to address impediments to community participation by addressing socio-economic and political factors that prevent the grassroots people from participating in conflict resolution processes, including post-conflict peace building and reconciliation processes and poverty relief.

### **5.3.3: Appropriateness of conflict resolution structures**

The absence of proper communication channels needs to be emphasized so that community members' voices can be heard at the 'top level' through proper representation. To this end, proper mechanisms should be set up for the democratic selection of representatives and observers at the peace talks. Participatory and culturally sensitive approaches should be used. Additionally, there is a need for elite and non-elite representatives to work together, by setting up a structure that is truly representative of all segments of society.

There is need for a joint and comprehensive strategy for involving ordinary citizens in peacemaking processes; this strategy should be developed through the joint efforts of the elite as well as CSOs and ordinary people. In addition, training, financial support and other costs of participation should be factored into the peace process as necessary for the peace dividend.

#### **5.3.4: Traditional mechanisms of conflict resolution**

It could be possible to synchronize the two ‘justice systems’ – formal and traditional to ensure that they are mutually reinforcing. This can be done through the establishment of a legal and policy framework that harmonises the two systems as was the case with the Gacaca system in Rwanda in 2001 when the Gacaca law was enacted. In addition, aspects of relevant cultural practices could be absorbed into the formal judicial system. Accordingly, there is need to identify commonalities and differences between traditional methods of resolving conflicts among regional states affected by the LRA conflict, so that a joint traditional mechanism can be agreed upon and applied to all LRA combatants who are willing to submit to the traditional justice and conflict resolution mechanism. Finally, the traditional cultural system of conflict resolution should develop a referral mechanism for dealing with crimes that are beyond its capacity and jurisdiction.

#### **5.4 Recommendations for Future Research**

The study adopted a qualitative research design using a limited sample of respondents, as such it was limited in geographical coverage as well as scope. Subsequent studies, related to community participation, should explore and investigate more deeply, in other regions of Uganda and elsewhere, the issues considered by this study. A mixed methodology approach could be used adopting both large scale surveys as well as qualitative methodologies could offer more nuanced findings especially after data has been triangulated and compared.

Further, while there has been extensive research on the broad subject of participation, little research has been conducted on community participation in peacemaking and conflict resolution in general. Additionally, future research should be undertaken to derive principles of community participation that can be generalized and applied across a variety of political and national contexts.

Also, questions such as whether community participation necessarily leads to a responsive governance environment or not and how to build responsive and mutually beneficial citizen-state relations as a key to sustainable peace and prosperity, should be explored by future research.

## **5.5 Final Comments**

There is a need to promote an inclusive peace process that is owned by the conflict-affected population as this increases the chances of sustainable settlement of conflicts (Zanker, 2013; Donais, 2009; Ferris, 2009; Barnes, 2002). Whilst this is the ideal, the practical implementation is fraught with several challenges as highlighted by this study.

The power dynamics between the elite and community members will remain a contentious issue. Both elite and community members will aspire to occupy the same political space, hence leading to further conflicts (Botes & Van Rensburg, 2000). A strategy for including community members would prove problematic as the elite feel threatened by their involvement at the same level (Bowen, 2008; Sawyer, 1995).

Governments use their incumbency (legitimate or otherwise) to justify their presence at a negotiation table yet there remain groups in a conflict resolution process who lack the benefit of an electoral process from which to claim legitimacy (Mac Ginty, 2005). These actors, including CSOs, may need to obtain legitimacy in order to be more effective actors and representatives. Innovative strategies for inclusivity are needed.

In democratic societies, CSOs should be reliable intermediaries between the state and the citizens, and have influence in the decision making process. Their involvement in conflict resolution is critical (Nilsson, 2012; Lanz, 2011; Kasaija, 2006; UN, 2004).

A strong civil society is meant to keep the 'political elite' in check but sometimes even civil society can have their own agendas which are removed from the grassroots. In fact, the mandate and legitimacy of civil society can be challenged as it may be viewed as an extension of the elite structure in society, hence negating the role of ordinary community members (Zaker, 2013; McGhie & Wamai, 2011).

Social movements consisting of the masses may be a possible solution to any co-operative strategies (the state may try to co-opt CSOs). Building a social movement for peace and social democracy from the grassroots could go a long way in securing greater leverage at the negotiation table. The work of middle range leaders, especially in regard to 'shuttle diplomacy' in stalemates, has much value to add to negotiated settlements (Lederach, 1997).

The civil society in Northern Uganda, especially religious and cultural leaders, played this role as they were trusted informal/unofficial mediators during the peace process.

The role of the media in fostering violence as well as in promoting peace has been well documented. In war torn areas, radios/TV can play a positive role, although they are often limited to urban and peri-urban areas due to widespread insecurity in rural areas. Social movements, CSOs, middle range leaders should set up their own radio stations as ‘voices for peace’ and channels of communication reaching the masses.

It is recommended that deliberate mechanisms be set up to ensure that the community is deeply involved in processes for resolving conflict, because effective and sustainable peacemaking processes must be based on the empowerment of communities torn apart by war to build peace from below (McGhie & Wamai, 2011; Ramsbotham, *et al*, 2005). Womens’ groups need to lobby well beforehand in making sure that their voices will be heard at the highest levels in the peace process.

The need for community representatives to give regular feedback should be structurally set up as part of the broader peacemaking process (Wanis-St.John & Kew, 2008; Wanis-St.John & Kew, 2008; Edwards, 1999). The absence of this means that there will be no clear strategy for providing feedback to the community and for harnessing community contributions.

There is a greater likelihood of realizing durable peace if the peacemaking potentials of conflict-affected communities are enhanced (Barnes, 2002; Mac Ginty, 2005; UN, 2011). Citizens’ capacity could be enhanced through relevant training and skills development. This is a prerequisite for their successful inclusion and participation in peacemaking processes (Botes & Rensburg, 2000).

Peacemaking strategies that give prominence to indigenous resources place the conflict-affected communities at the centre of its resolution and accelerate post-conflict recovery and reconciliation (Barnes, 2002; Ferris, 2009; Darby & Mac Ginty, 2008; Barakat, 2005). Such strategies deliver justice in a socially acceptable manner; they promote justice and reconciliation, and give opportunity to as many community members as possible to participate in the conflict resolution process.

However the parallel application of traditional and formal justice mechanisms remains contested because the two are based on differing principles. While the indigenous mechanisms are restorative, participatory and inclusive and are based on local traditions and social values, formal processes emphasise retribution and adherence to a set of rules, regulations, procedures, laws and other formalities (Muhereza *et al*, 2009; Ogora, 2009; Mac Ginty, 2008; Pham & Vinck, 2010; Avruchet *al*, 1991).

The inclusion of all stakeholders at all levels of the peacemaking process should be part of the design of the peace process (Ramsbotham *et al*, 2005). There is need for equality among stakeholders, as well as assuring that external actors do not overly influence decisions, disregard or sidestep opinions of conflict-affected communities. There is a need to identify leaders and representatives among conflict-affected communities at the lowest levels of the community in the peacemaking process, thereby complementing Track I and Track II processes. Finally, an inclusive peacemaking structure, including the people most affected by conflict, will be of great importance when it comes to the transformation of the conflict and the sustainability of the peace (Lederach, 1997).

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## **APPENDIX 1: Interview Guide**

### **Key Informants' perceptions on the major participants and actors in the Northern Uganda peace process:**

- Which Acholi community members participated in the Juba peace process, or other aspects of the Northern Uganda conflict resolution process?
- How were participants in the peace process selected/identified?
- Among the participants in the Juba peace process, whom do you regard to have been the legitimate representative of ordinary community members?
- Why do you say so?
- Do you think community members' concerns, views and interests were effectively articulated during the Juba peace process?

### **Key Informants' perceptions of community members regarding their capacities, opportunities and potential to participate meaningfully in conflict resolution given their capacities and resources:**

- What is your opinion about the community's capacity to participate in the Northern Uganda conflict resolution process?
- The above notwithstanding, what strengths do community members bring (contribute) to the Northern Uganda peacemaking and conflict resolution process?
- What do you consider to be the community members' major impediments to participation in the Northern Uganda conflict resolution process?
- Why do you consider the issues you have raised as impediments?
- How did community members overcome these barriers?
- If they did not overcome some of these barriers/challenges, why did you fail?
- What opportunities existed during the conflict resolution process that community members did not exploit?
- Why did community members fail to exploit these opportunities?



**Key Informants' perceptions about the nature and level of community participation in the conflict resolution process in Northern Uganda:**

- What do you have to say about the assertion that 'IDPs and other community members know their needs better and that they would have represented themselves during the Juba peace talks, and during other parts of the conflict resolution process?
- Did the community members themselves consider that they should have had a direct role in the peacemaking and conflict resolution process? If yes, what role did they wish to play during the Juba peace process?
- How do you think community participation in conflict resolution should happen?
- Who should facilitate community participation, including setting the agenda?

**Key Informants' perceptions about the appropriateness of mechanisms for engaging conflict-affected communities in conflict resolution:**

- What alternative or complementary mechanism should have been established to solicit opinions of community members and other stakeholders?
- What conflict resolution mechanisms/ structures were used in the Northern Uganda conflict resolution process?
- How were these mechanisms/structures formed or established?
- How appropriate were these structures/mechanisms for community involvement?

**Key Informants' perceptions about the traditional mechanisms that are already in use by the conflict-affected communities:**

- What traditional mechanisms of conflict resolution have been used/are currently being used in resolution of the Northern Uganda conflict?
- In your opinion, how effective have they been?
- What were the limitations/failures of these mechanisms, especially in light of modern times?

## **APPENDIX 2: Focus Group Discussion (FGD) Guide**

### **Community perceptions on the major participants and actors in the Northern Uganda peace process:**

- Which Acholi community members participated in the Juba peace process, or other aspects of the Northern Uganda conflict resolution process?
- Among the participants in the Juba peace process, whom do you regard to have been your representative?
- How effectively were community members represented by the above participants/actors?
- How were participants in the peace process selected/identified?
- Do you consider those who represented you during the peace process to have been legitimate representatives of the community, and the IDPs in particular?
- Do you think your concerns, views and interests as community leaders or IDPs were effectively articulated during the Juba peace process?
- Since you were not directly involved in the Juba peace process, how did you ensure that your interests were catered for?
- What do you have to say about the assertion that ‘IDPs and other community members know their needs better and that they would have represented themselves during the Juba peace talks, and during other parts of the conflict resolution process?’

### **Community perceptions of community members regarding their capacities, opportunities and potential to participate meaningfully in conflict resolution given their capacities and resources:**

- What is your opinion about the community’s capacity to participate in the conflict resolution process?
- As a member of a community that has been affected by armed conflict for more than 20 years, what are those unique circumstances that could have had a bearing on the community’s ability to participate in the conflict resolution process?
- What do you consider to be the community members’ major impediments to participation in the Northern Uganda conflict resolution process?

- Why do you consider the issues you have raised as impediments?
- How did community members overcome these barriers?
- If you did not overcome some of these barriers/challenges, why did you fail?
- What opportunities existed during the conflict resolution process that community members did not exploit?
- Why did community members fail to exploit these opportunities?
- The above notwithstanding, what strengths do community members bring (contribute) to the Northern Uganda peacemaking and conflict resolution process?

**Community perceptions about the nature and level of community participation in the conflict resolution process in Northern Uganda:**

- Did you consider that you should have had a more direct role in the Northern Uganda conflict resolution process, including the Juba peace talks? If yes, what role did you wish to play?
- How do you think community participation in conflict resolution should happen?
- Who should initiate community participation?
- Who should facilitate community participation?
- Since you were not directly involved in the Juba peace process, to what extent do you own or share in the outcomes of the peace process?
- To what extent are community members committed to participate in implementation of the Juba Peace accords?

**Community perceptions about the appropriateness of mechanisms for engaging conflict-affected communities in conflict resolution:**

- What conflict resolution mechanisms/ structures were used in the Northern Uganda conflict resolution process?
- How were these mechanisms/structures formed or established?
- How appropriate were these structures/mechanisms for community involvement?
- If the peace process were to resume, how would you want your concerns, interests and opinions to be represented? What alternative or complementary mechanism should have been established to solicit your opinion?

**Community perceptions about the traditional mechanisms that are already in use by the conflict-affected communities:**

- What traditional mechanisms of conflict resolution have been used/are currently being used in resolution of the Northern Uganda conflict?
- How do they work?
- In your opinion, how effective have they been?
- What were the limitations/failures of these mechanisms, especially in light of modern times?